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NASSAU COUNTY LEGISLATURE

FULL LEGISLATIVE COMMITTEE

NORMA GONSALVES,  
Presiding Officer

1550 Franklin Avenue  
Mineola, New York

Monday, August 3, 2015  
1:14 P.M.

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2     A P P E A R A N C E S:3     NORMA GONSALVES,  
4         Presiding Officer5     RICHARD NICOLELLO,  
6         Deputy Presiding Officer7     HOWARD KOPEL,  
8         Alternate Deputy Presiding Officer

9     STEVEN RHOADS

10    DENISE FORD

11    LAURA CURRAN

12    FRANCIS X. BECKER

13    VINCENT MUSCARELLA

14    ELLEN BIRNBAUM

15    LAURA SCHAEFER

16    DONALD MACKENZIE

17    KEVAN ABRAHAMS,  
18         Minority Leader

19    ROSE MARIE WALKER

20    DENNIS DUNNE

21    JUDITH JACOBS

22    JAMES KENNEDY

23    DELIA DERIGGI-WHITTON

24    CARRIE SOLAGES

25    SIELA BYNOE

26    WILLIAM J. MULLER, III  
27         Clerk of the Legislature

1

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2 CHAIRWOMAN GONSALVES: Legislator  
3 Dennis Dunne, please lead us in the Pledge  
4 of Allegiance.

5 (Whereupon, the Pledge of  
6 Allegiance was recited.)

7 CHAIRWOMAN GONSALVES: Thank you,  
8 Legislator Dunne. As is customary, every  
9 full leg meeting we do recognize outstanding  
10 people in our communities and we begin with,  
11 of course, the top cop. And in this case  
12 today, and I believe the president of the  
13 PBA here today, I think he is, and the  
14 commissioner is here as well. I don't know  
15 who else is joined with them.

16 We do have an individual from the  
17 police department who is being recognized  
18 and I'm going to leave it to the PBA  
19 President James Carver to say a few words  
20 and then announce the individual.

21 PRESIDENT CARVER: First of all,  
22 good afternoon. Great to be back here again  
23 honoring one of our top cops who is  
24 following me right here with his partner so  
25 this is a good one.

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2 Just a little background. If  
3 everybody remembers, we had a string of gas  
4 station robberies around the Westbury area  
5 earlier in the year. If you remember, there  
6 was one particular robbery where, during the  
7 robbery, they killed the gas attendant  
8 there, and that's what leads to this top cop  
9 story.

10 One June 14, 2015, while on  
11 patrol, Police Officer Jeff Shake of highway  
12 patrol assigned to canine responded to the  
13 area of a broadcasted alarm from  
14 communications bureau for an armed robbery.  
15 Nassau County Police Department CB did add  
16 to the alarm that a GPS tracking system was  
17 in fact activated after the recent robbery  
18 at the Citgo station in Westbury.

19 The officer's knowledge of the  
20 post, surrounding area, and using basic  
21 police instincts, he was able to  
22 logistically and with proper tactics, take a  
23 sound position to conduct a grid search of  
24 the Westbury area.

25 The Westbury area was the recent

1 Full Legislature/8-3-15  
2 scenes of several gas station robberies  
3 which included a murder at one of those gas  
4 stations as well.

5 Once in a position, the officer  
6 and his partner, Police Dog Jake,  
7 comfortably standing next to us, followed  
8 the GPS broadcast alerts and started a  
9 systematic search for a possible vehicle.

10 The officer did locate the  
11 suspect vehicle recording the license plate  
12 number, registration, and most importantly  
13 was able to identify the operator. The sole  
14 occupant of that said vehicle. The  
15 observation secured by Officer Shake is  
16 intensive investigative skills, coupled with  
17 the his calm and his most effective policing  
18 techniques, added to the sufficient probable  
19 cause for arrest.

20 Again, this led to the arrest  
21 afterwards of someone that was wanted for a  
22 string of robberies and, most importantly, a  
23 homicide of one of the gas attendants. This  
24 is why he is a top cop. He did a great job.

25 Another example of the fine work

1 Full Legislature/8-3-15  
2 that goes on each and every single day in  
3 Nassau County, protecting the citizens of  
4 Nassau County. I'm joined here by the  
5 police commissioner, I know he would like to  
6 say a couple of words too.

7 COMMISSIONER KRUMPTER: This is a  
8 case that has had a significant amount of  
9 exposure in the media over the first several  
10 months of this year. I stated multiple  
11 times, it was at top investigative priority  
12 of the Nassau County Police Department.

13 Our detectives spent literally  
14 thousands upon thousands of hours  
15 investigating this case. But, really, what  
16 it came down to in this particular case was  
17 great work by Police Officer Shake who  
18 really is, and I would like to say this is  
19 the first time but I can't. He is  
20 constantly one of our truly of our best and  
21 constantly out there doing a great job.

22 This subject was a monster, an  
23 out and out monster. He would think nothing  
24 of killing somebody and he did. He  
25 committed a number of other robberies and,



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2 thanks to the great work of Police Officer  
3 Shake that subject will not be on the  
4 streets probably with a little hope for the  
5 rest of his life.

6 So, Police Officer Shake, you did  
7 a great job and thank you very much for  
8 that. Like anything else, Police Officer  
9 Shake was the primary reason why this  
10 subject was apprehended, but what can't be  
11 ignored was the great work that was done by  
12 Sergeant Giambrone from the robbery squad  
13 and his team, the electronic squad,  
14 Detective Sergeant Devin Ross, Detective  
15 Captain John Azotta, and this was a case  
16 that we worked with countless other state  
17 and federal agencies.

18 This was truly a team effort and  
19 this was really a great work and showcased  
20 how great the police department of Nassau  
21 County is.

22 The last thing I will leave you  
23 with, standing here today, at a time when  
24 there is all too much criticism of law  
25 enforcement, and that this legislative body,

1 Full Legislature/8-3-15  
2 led by Legislator Gonsalves, recognized the  
3 great work of the police department. We  
4 know in the Nassau County Police Department,  
5 our members know that we have the support of  
6 the residents and the support of the  
7 government and the support of this  
8 legislative body.

9 So, Legislator Gonsalves, and to  
10 all the legislators, thank you for  
11 recognizing that. You have no idea how much  
12 it means to me and how much it means to this  
13 department. Have a good afternoon and thank  
14 you.

15 CHAIRWOMAN GONSALVES: Thank you,  
16 commissioner. Officer Shake, would you like  
17 to say a few words? What happened?

18 COMMISSIONER KRUMPTER: Police  
19 Officer Shake's canine partner I think is  
20 ready to do some police work.

21 CHAIRWOMAN GONSALVES: Would we  
22 be in his way if we come down to present him  
23 with a citation, Officer Shake, what do you  
24 think?

25 LEGISLATOR BECKER: Madam Chair,

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2 this is not only the first time, well, we  
3 are creating a top cop, but this is the  
4 first time giving an award for a top dog. I  
5 thought it was funny.

6 CHAIRWOMAN GONSALVES: Funny too.

7 LEGISLATOR DUNNE: Madam Chair?

8 OFFICER SHAKE: Thank you very  
9 much. I appreciate the award. We would  
10 like to share in the recognition. Usually  
11 it's his nose, this time it was mine. So it  
12 works out. Thank you very much.

13 CHAIRWOMAN GONSALVES: Stay there  
14 Officer Shake. I'm going to come down and  
15 present you with a citation and take a  
16 picture and anybody who wants to join us,  
17 please do.

18 LEGISLATOR DUNNE: Madam Chair, I  
19 asked the dog how his training was and he  
20 said rough.

21 CHAIRWOMAN GONSALVES: Legislator  
22 DeRiggi-Whitton, I'm calling these in the  
23 order they have been received. I hope you  
24 get a message here.

25 Legislator DeRiggi-Whitton has a

1 Full Legislature/8-3-15

2 point of personal privilege. I will leave  
3 it to her to talk all about Ashley Randall.

4 LEGISLATOR DERIGGI-WHITTON:

5 Ashley, would you mind coming up to the  
6 podium? I just want to do a quick  
7 introduction.

8 We were very honored on Long  
9 Island because we had an excellent  
10 representative for the recent National  
11 Conference For Juvenile Diabetes Research.

12 Ashley is an example of someone  
13 who has lived with this disease, condition.  
14 I call it a condition because it's something  
15 that can -- we have now, but won't always  
16 have. But just as a mother of someone who  
17 was diagnosed at a very young age, as a  
18 three year old, I'm also so happy to see  
19 such a beautiful, successful, smart young  
20 woman handling such an extra issue and  
21 handling it with dignity, grace, and just  
22 strength, and I wanted to have her come here  
23 to just tell us a little bit about the work  
24 she's done.

25 Fran, if you come down with me to

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2 present. Both Fran and I have very close  
3 family members with this challenge and we  
4 appreciate you being such a great example.  
5 Just put the microphone up and hit the red  
6 button and you can just tell them.

7 MS. ASHLEY RANDALL: Hi everyone.  
8 I was diagnosed at the age of 9 and I was  
9 lucky enough these past couple of weeks to  
10 go down to D.C. and speak with a bunch of  
11 senators and representatives about having  
12 diabetes, one, finding a cure, and approving  
13 the Medicaid CGM Act. It's for continuous  
14 glucose monitors which Medicaid does not  
15 cover after 65.

16 For younger kids and older  
17 people, it's really helpful in monitoring  
18 your blood glucose levels. I personally do  
19 not wear one but I know a bunch of people  
20 that do. I would like to thank Nassau  
21 County and Whitton for giving me this award.

22 LEGISLATOR DERIGGI-WHITTON: The  
23 device that Ashley is speaking of is a  
24 monitor that can read a person's sugar  
25 level, I think it's 228 times a day, because

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2 it really gives you a good idea of where you  
3 are. And a lot of times people don't  
4 recognize when they are low and can have car  
5 accidents, and it also helps if someone is  
6 high, it helps with the controls.

7 We are making a lot of strides,  
8 and a lot of reasons is because the work  
9 JD RF does, and, I, again, I know what you go  
10 through and applaud you for handling it so  
11 well. Your family is here too if they want  
12 to come up we can take a nice picture. Any  
13 condition with your kids, as everyone knows,  
14 is an extra hit on the mom and dad, so I  
15 just want to give them a round of applause  
16 for doing a great job.

17 CHAIRWOMAN GONSALVES: Ashley, I  
18 know you're going to Washington D.C.  
19 representing the foundation. I wish you  
20 success and good health.

21 MS. ASHLEY RANDALL: Thank you.

22 CHAIRWOMAN GONSALVES: You're  
23 welcome, Ashley. The next point of personal  
24 privilege will be presented by Legislator  
25 Laura Schaefer, and her honoree is Kenneth

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2 Norman.

3 LEGISLATOR SCHAEFER: Thank you.

4 I'm going to talk a little bit about Ken  
5 Norman. He's my point of personal privilege  
6 person. He's from Carle Place. He  
7 graduated recently from Carle Place High  
8 School. Not only did he graduate but he  
9 graduated with Regents Diploma with advanced  
10 distinction in mastery of math and science.  
11 He was on the honor roll throughout high  
12 school. During high school, he took  
13 advanced placement courses including those  
14 in World History, American History, European  
15 History, and language and composition. He  
16 received a five out of five in all of those  
17 courses on his AP exam and not surprisingly  
18 won an AP scholar award.

19 Ken also attended Syracuse  
20 University project advance course in  
21 forensics. He's a member of the Tri-M Music  
22 Honor Society, received a scholar athlete  
23 award, and will be attending Sienna College  
24 in the fall.

25 Ken was not only an excellent

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2 student but he was also very active in the  
3 community and he's been a member of the Key  
4 Club throughout high school and has  
5 volunteered on various community service  
6 opportunities such as food donations,  
7 fund-raising for charities, he's been a  
8 member of the Spark Club in his senior year  
9 and volunteered for service with St. Bridges  
10 Church.

11 He has a wide variety of  
12 interests which include playing on the  
13 varsity baseball team, bowling team, and  
14 soccer. He also plays the trumpet and has  
15 been very active in stage crews for numerous  
16 high school plays.

17 Now, if that wasn't enough, my  
18 point of personal privilege, the reason I  
19 have Ken here today, is because, on top of  
20 all of that, all of his scholastic  
21 achievements and just being an overall great  
22 student and overall great guy, don't want to  
23 say kid, he's a young man now, Ken has had  
24 perfect attendance from kindergarten through  
25 high school. He's here today. And his



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2 perfect attendance continues. So we want to  
3 congratulate you and present you with a  
4 citation for your perfect attendance and  
5 everything else you've done.

6 I wish you the absolute best of  
7 luck and I expect big things from you.

8 CHAIRWOMAN GONSALVES: Thank you,  
9 Legislator Schaefer. Now we have a point of  
10 personal privilege by Legislator Steven  
11 Rhoads and I will give him the opportunity  
12 to present his personal privilege.

13 LEGISLATOR RHOADS: Thank you,  
14 Madam Presiding Officer. And I'm going to  
15 join in this presentation with Legislator  
16 Kennedy. We're both rising in recognition  
17 of a remarkable young woman, Sarah Esposito.  
18 Sarah, I would invite you, if you wouldn't  
19 mind, to please come up to the podium.

20 Now, Sarah, how long have you  
21 been a lifeguard?

22 MS. SARAH ESPOSITO: I'm pretty  
23 sure it's my seventh summer. Since I was  
24 15.

25 LEGISLATOR RHOADS: Sarah is a

1                   Full Legislature/8-3-15  
2 lifeguard at the Wantagh Park Pool in  
3 Wantagh. Recently she was off duty at the  
4 time, but happened to be at the pool to  
5 report for duty and noticed there was a  
6 three year old child submerged in a closed  
7 section of the pool. She immediately sprung  
8 into action, hopped into the pool, brought  
9 the young boy to the surface, and  
10 administered three back blows to clear his  
11 lungs of water. She then accompanied him to  
12 the EMS tent and got the boy's mother. But  
13 she was still concerned that the boy had  
14 actually aspirated into his lungs, that  
15 actually water, from being submerged, made  
16 its way into his lungs and was going to  
17 present a continued problem.

18                   She had the presence of mind to  
19 contact the Wantagh Fire Department and  
20 advise EMS personnel from my responding  
21 company, Engine Rescue Company Number Five,  
22 about the potential presence of water in his  
23 lungs.

24                   EMS checked him out. It turned  
25 out that she was 100 percent right. That he

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2 did have residual water. EMS personnel was  
3 able to clear the remaining water from his  
4 lungs and that young boy's life was  
5 unquestionably saved as a result of Sarah  
6 Esposito's quick thinking and rapid  
7 response. And, when obviously we heard  
8 about this, both Legislator Kennedy and I  
9 wanted to invite you to come down.

10 We have a citation to present to  
11 you for the incredible work you did and the  
12 incredible work that all of our lifeguards  
13 do at all of our county facilities do in  
14 protecting the lives of our patrons and  
15 making sure that everyone has a safe and  
16 happy experience at our county parks and  
17 pools.

18 So we both are going to come down  
19 and present it. But, while I still have the  
20 microphone, I just wanted to congratulate  
21 you and thank you for what you did, truly  
22 amazing work. Thank you, Sarah.

23 CHAIRWOMAN GONSALVES: Can you  
24 introduce your family, please?

25 MS. SARAH ESPOSITO: This is my

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2 boyfriend Joe. He's not family by blood.

3 This is my grandmother. My mother. My dad.

4 My brother Anthony. His girlfriend. And my

5 boyfriend Doug. The whole family is here.

6 CHAIRWOMAN GONSALVES: Good job,

7 Sarah. Thank you for your patience, but I

8 think you can understand why we take the

9 time to recognize so many marvelous people

10 in our county. It makes us feel a lot

11 prouder of being residents of Nassau County.

12 So, without any further ado, I'm

13 going to continue with calling public

14 comment. Roll call first.

15 CLERK MULLER: Deputy Presiding

16 Officer Nicolello?

17 LEGISLATOR NICOLELLO: Here.

18 CLERK MULLER: Alternate Deputy

19 Presiding Officer Kopel?

20 LEGISLATOR KOPEL: Here.

21 CLERK MULLER: Legislator Bynoe?

22 LEGISLATOR BYNOE: Here.

23 CLERK MULLER: Legislator

24 Solages?

25 LEGISLATOR SOLAGES: Here.

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2 CLERK MULLER: Legislator Ford?  
3 LEGISLATOR FORD: Here.  
4 CLERK MULLER: Legislator Curran?  
5 LEGISLATOR CURRAN: Here.  
6 CLERK MULLER: Legislator Becker?  
7 LEGISLATOR BECKER: Present.  
8 CLERK MULLER: Legislator  
9 Muscarella?  
10 LEGISLATOR MUSCARELLA: Here.  
11 CLERK MULLER: Legislator  
12 Birnbaum?  
13 LEGISLATOR BIRNBAUM: Here.  
14 CLERK MULLER: Legislator  
15 DeRiggi-Whitton?  
16 LEGISLATOR DERIGGI-WHITTON:  
17 Here.  
18 CLERK MULLER: Legislator  
19 Kennedy?  
20 LEGISLATOR KENNEDY: Here.  
21 CLERK MULLER: Legislator  
22 Schaefer?  
23 LEGISLATOR SCHAEFER: Here.  
24 CLERK MULLER: Legislator Dunne?  
25 LEGISLATOR DUNNE: Here.

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2 CLERK MULLER: Legislator Jacobs?

3 LEGISLATOR JACOBS: Here.

4 CLERK MULLER: Legislator Walker?

5 LEGISLATOR WALKER: Here.

6 CLERK MULLER: Legislator

7 MacKenzie?

8 LEGISLATOR MACKENZIE: Here.

9 CLERK MULLER: Legislator Rhoads?

10 LEGISLATOR RHOADS: Here.

11 CLERK MULLER: Minority Leader

12 Abrahams?

13 LEGISLATOR ABRAHAMS: Here.

14 CLERK MULLER: Presiding Officer

15 Gonsalves?

16 CHAIRWOMAN GONSALVES: Present.

17 CLERK MULLER: We have a quorum.

18 CHAIRWOMAN GONSALVES: Richard,

19 say your last name for me, please.

20 MR. CLOLERY: C-L-O-L-E-R-Y. I

21 apologize for my handwriting.

22 CHAIRWOMAN GONSALVES: Pronounce

23 it for me.

24 MR. CLOLERY: Clolery.

25 CHAIRWOMAN GONSALVES: Proceed.

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2 MR. CLOLERY: To the members of  
3 my legislature: I am before you today  
4 because I really want you as a legislature  
5 to move the transit advisory committee  
6 meetings from NICE headquarters to the  
7 legislative building here in Mineola and  
8 make the starting time of these meetings  
9 after 5:00 p.m., preferably after 6:00 p.m.

10 The reason for this matter is as  
11 follows: Getting to the NICE building can  
12 be a very dangerous proposition if you don't  
13 get the bus you need to get there on time,  
14 especially if the transport is at the  
15 Roosevelt Field Mall.

16 If you miss the required bus at  
17 the mall, and you have to be at the meeting  
18 on time, the only other option is to walk  
19 from the parking lot out of the mall to the  
20 NICE building where the TAC meeting is.  
21 Basically, if you go outside the parking --  
22 you know where the bus hub is?

23 CHAIRWOMAN GONSALVES: Yes, we  
24 are well aware of where it is.

25 MR. CLOLERY: And you are aware

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2 of the parking lot, literally there is no  
3 safe walkway out there. Getting back to  
4 what I was saying.

5 First you have to get out of the  
6 parking lot where there are two curved roads  
7 going in and out of the parking lot area  
8 where the buses let people off so that  
9 people can get into the mall. One false  
10 move getting across the parking lot and you  
11 are dead. It is pure and simple. Assuming  
12 you've survived the parking lot experience  
13 and cross the street at Stewart Avenue and  
14 South Street, then you have to walk down  
15 South Street where the official sidewalk  
16 ends a few feet away from the intersection.

17 As you go down South Street, the  
18 sidewalk comes out like a hard path, not an  
19 official sidewalk. There is a freight line  
20 that runs through it.

21 Anyway, getting back to what I  
22 was saying, there is only a hard path  
23 crossing the railroad crossing north of the  
24 NICE Bus headquarters. People are forced to  
25 go into the street hoping that a car won't



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2 kill them that day.

3 Finally, why do we need these  
4 hundreds of people to voice their opinions  
5 at these meetings? Because people can't  
6 always take off the day of the meetings.  
7 Especially if you only give people one week  
8 notice.

9 Also, the average workday for a  
10 lot of people ends at 4:00, 5:00 for some.  
11 So they need time to get home, change, and  
12 come to these meetings so they have a chance  
13 to express their opinions about the problems  
14 of the NICE Bus system.

15 In conclusion, please consider  
16 what I'm saying and have TAC meetings  
17 transferred to the legislative building and  
18 make those meetings after 5:00 p.m.

19 I really do appreciate being able  
20 to speak today and wish you all a good day.

21 CHAIRWOMAN GONSALVES: Richard,  
22 I'm going to transmit your recommendations  
23 to TAC, all right? Thank you for being  
24 here.

25 LEGISLATOR JACOBS: Richard, you

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2 don't have to come back up but I just want  
3 to say something to you. I totally agree  
4 with you. We have a real problem with  
5 recognizing the fact that to make it  
6 difficult for the very people that need the  
7 bus service the most in all forms, the  
8 regular bus service, and Legislator Whitton  
9 and myself are very concerned about  
10 Able-Ride which has been cut in certain  
11 areas. But I understand what you're saying  
12 and I would like to join with the presiding  
13 officer in asking for this venue to be moved  
14 to make it somewhat more accessible for  
15 everybody.

16 CLERK MULLER: Legislator Rhoads  
17 and Legislator Kennedy are here.

18 CHAIRWOMAN GONSALVES: Richard,  
19 you may. Take your time, Richard. Like I  
20 said, let's say I'm a business person. If a  
21 customer has a complaint, I want him to come  
22 and voice his complaint. I want him to do  
23 it in as many accessible forms as humanly  
24 possible, whether it be physically or  
25 through the email system or whatever it is

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2 at the moment.

3 What I don't do is make it  
4 impossible for that person to come to these  
5 meetings. If the purpose of the Transit  
6 Advisory Committee is to listen to the  
7 people, well, it's kind of hard for that  
8 person to listen when you make it almost  
9 impossible for him to appear at these  
10 meetings.

11 Also, can we make the signs of  
12 the advertisements a little bigger, of the  
13 other advertisements on the bus?

14 CHAIRWOMAN GONSALVES: As I said  
15 to you before and I will say it again, we  
16 will transmit --

17 MR. CLOLERY: I know. Wanted to  
18 follow up.

19 CHAIRWOMAN GONSALVES: You want  
20 to follow up with Legislator Jacobs?

21 LEGISLATOR JACOBS: Remember, the  
22 advertisements I'm sure you're talking  
23 about, probably we don't have any control  
24 over the size that they make it, but, as the  
25 presiding officer said, she can certainly

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2 include that in her request as a result of  
3 your being here.

4 MR. CLOLERY: Thank you. Have a  
5 good day.

6 CHAIRWOMAN GONSALVES: Richard,  
7 thank you for being here. Joanne Borden.

8 MS. BORDEN: Good afternoon. The  
9 presiding officer was recently quoted as  
10 saying "transgender people are unequivocally  
11 protected in Nassau's Human Rights Law."

12 Madam, the only unequivocal thing  
13 regarding our law is the official Nassau  
14 County legal voice that says transgender  
15 people are not explicitly protected from  
16 discrimination.

17 Your opposing statement proves  
18 that the protection of transgender people,  
19 people born with a birth variation no  
20 different than red hair, is equivocal, not  
21 unequivocal.

22 How can you possibly believe that  
23 we are unequivocally protected when you  
24 heard so many people and so many authorities  
25 testify in this room that we are not

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2 protected in the law?

3 In the five years since I have  
4 lobbied here, you have not and cannot  
5 produce one piece of evidence outside the  
6 words of your caucus, that agrees we are  
7 protected under the law.

8 On the other hand, I have  
9 distributed to this body four times over the  
10 last five years, hard copies of the county's  
11 official legal opinion. The legal laws  
12 voice of Nassau County rules quote, "the  
13 code does not explicitly protect individuals  
14 based on their status as transgender or  
15 based on their overt gender expression."  
16 You are also ignoring a basic principal of  
17 law that a law must have certainty.

18 Thus, the law needs revisions on  
19 two counts. One, both the widespread belief  
20 expressed before you, plus the official  
21 Nassau County legal opinion that we are not  
22 protected by the law and, two, laws must  
23 contain certainty, and our law regarding the  
24 protection of transgender people is clearly  
25 uncertain by virtue of all the people that

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2 have appeared here. Your ignoring reality  
3 is promoting financial and bodily harm plus  
4 inflicting serious mental health issues.

5 Adding the definition of gender  
6 to the law would not change but reinforce  
7 your opinion that we are unequivocally  
8 protected by the law. Adopting the simple  
9 definition is far less costly than having me  
10 and others consume your time and so many  
11 other county employees here month after month  
12 for another five years. Pass the Gender  
13 Clarification Law and protect us  
14 unequivocally. Thank you for listening.

15 CHAIRWOMAN GONSALVES: Thank you,  
16 Joanne. Legislator Jacobs.

17 LEGISLATOR JACOBS: Joanne, I  
18 know how frustrated you are. I tell you how  
19 embarrassed I am. I tell you how this is  
20 such a disgrace in our county that you  
21 brought it to our attention. We know of  
22 other counties around us that have the  
23 gender definition in them. I do not  
24 understand for the life of me why this goes  
25 on for five years for you, but ending on a

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2 good note, bless you for that wonderful  
3 article in Newsday where you made a human  
4 being come alive to the rest of Nassau  
5 County.

6 MS. BORDEN: Besides I'm a cover  
7 girl.

8 LEGISLATOR JACOBS: Excuse me,  
9 well, that's true. But, seriously, you made  
10 the whole issue come alive and made people  
11 realize that here's a woman that is asking  
12 for the same rights we all have and is being  
13 denied them.

14 Whether we all agree that our law  
15 was all encompassing or not, bottom line is,  
16 if there is a small iota of a question,  
17 close the question. I cannot believe it is  
18 going on five years. But I know you have a  
19 big birthday this year and I cannot think of  
20 a better birthday present from this body to  
21 make this happen, not only for you, but for  
22 the rest of the people out here.

23 All of us are different. All of  
24 us have different variations and, let me  
25 tell you something, there is just no excuse

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2 any longer. It's becoming not only an  
3 embarrassment but a humiliation when states  
4 are passing the rights law and we can't even  
5 get this body to do that.

6 So I apologize. You know I've  
7 done as much as I could and I continue to do  
8 that. I am confident that we will do it.

9 MS. BORDEN: Well, I'm not  
10 subject to all the problems that transgender  
11 people have because I'm retired. Nobody can  
12 fire me from my job. I'm a widow. So I  
13 don't have the complications of a wife. And  
14 my family is very happy and proud of me.  
15 And I think that the presiding officer will  
16 give me my 90th birthday present by  
17 introducing the law for voting. Thank you.

18 CHAIRWOMAN GONSALVES: 90 years  
19 old, December 6th. Unbelievable. Julie  
20 Gray Owens. Anything else, Joanne? I just  
21 said you are going to be 90 December 6th.

22 MS. BORDEN: Yes, that's the  
23 truth.

24 CHAIRWOMAN GONSALVES: Now we  
25 have Julie Gray Owens.



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2 MS. OWENS: Good afternoon. I'm  
3 Julie Gray Owens of the Long Island  
4 Transgender Advocacy Coalition, better known  
5 as LITAC. I'm here again today to speak of  
6 Local Law 9-2006 and the need for an  
7 amendment to better define gender.

8 I last spoke in front of this  
9 legislative body in June. I would like to  
10 update you on recent events and developments  
11 that have occurred since my last visit.  
12 These are included in a handout. I would  
13 like to have distributed to each legislator  
14 when I am finished speaking. I have 20  
15 copies.

16 Monday, June 15th, LITAC's second  
17 annual march and rally for transgender civil  
18 rights attended by 150 transactivists,  
19 allies and family members was covered by  
20 Newsday and News 12. In your packet will be  
21 a copy of the Newsday article as well as the  
22 link to the News 12 segment.

23 Wednesday, June 24th, News 12  
24 covered a report released by the New York  
25 Civil Liberties Union on Transgender

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2 Discrimination in New York Public Schools.  
3 Nassau County student Avery Brogan spoke  
4 passionately about the issues in Long Beach  
5 High School.

6 Saturday, June 27th, 30 LITAC  
7 supporters demonstrated in front of the  
8 Smithtown district office of State Senate  
9 Majority Leader Flanigan to protest the  
10 failure of Senator Flanigan to bring the  
11 gender bill to the senate floor for a vote.

12 We were especially proud of the  
13 fact that we were able to put this  
14 demonstration together in less than 48  
15 hours. We brought out 30 people and  
16 received media coverage from Newsday, the  
17 Smithtown News and the Huntington News.

18 Sunday, July 19th, one of our  
19 communities leading advocates, Joanne  
20 Borden, was featured on a three page story  
21 in the Act Two section of Newsday.

22 Sunday, July 26th, my personal  
23 appearance on the WLNY interview show, exit  
24 1055, was broadcast. I have included the  
25 link in your packet for the review.

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2 Speaking of television, July 15th  
3 saw the series premier of "I am Jazz" a TLC  
4 show about the life experiences of a young  
5 trans girl and, finally, on July 26th, the  
6 television premiere of I am Kate set viewer  
7 records. This reality series based on the  
8 life experiences of the former Bruce Jenner  
9 became the second most popular reality show  
10 premiere ever on the E Network.

11 I mentioned in my last appearance  
12 here, transgender people are gaining  
13 significant support as our stories are  
14 carried by the print and electronic media.

15 Again, I will ask you, do you  
16 think you can put off the inevitable? Do  
17 you think you can stall this movement?

18 I need you to tell, whenever we  
19 leave this room, we are surrounded by  
20 audience members in the lobby asking us, why  
21 is the legislature so against you? Why  
22 won't they do what is right?

23 Your constant answer of, you are  
24 already covered under the sexual orientation  
25 protections is seen as a flimsy excuse.

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2 When you consider that since there aren't  
3 any explicit protections for gender identity  
4 and expression written into the law, the  
5 courts may rule inconsistently. This is  
6 especially true when you realize that being  
7 transgender has nothing do with sexual  
8 orientation.

9 Also, when there are explicit  
10 protections for transgender people, the law  
11 sends a strong message that it is not  
12 acceptable to discriminate against us.

13 Your lack of concern for your  
14 constituents makes you a prime target this  
15 election year.

16 CLERK MULLER: Your three minutes  
17 have expired.

18 MS. OWENS: I want to assure that  
19 leaders in our community were prepared to  
20 continue this fight in the court of public  
21 opinion. Transgender activists on Long  
22 Island continue to do everything in our  
23 power to bring your refusal to fully protect  
24 your transgender constituents to light. We  
25 have only just begun. Are you prepared to

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2 be continually bombarded with questions  
3 about Nassau County's transgender civil  
4 rights with increasing public and media  
5 scrutiny. These are questions you need to  
6 answer. Thank you.

7 CHAIRWOMAN GONSALVES: Thank you.  
8 Barbara Salva.

9 MS. SALVA: Good afternoon  
10 everyone, and thank you again for letting me  
11 speak.

12 In case you forgot, my name is  
13 Barbara Salva. I'm the deputy executive  
14 director of LITAC, Long Island Transgender  
15 Advocacy Coalition.

16 The last time I spoke, I  
17 mentioned to you that if you added the  
18 amendment to the current LGB  
19 antidiscrimination law, now that's on the  
20 books of Nassau, I would come back and say  
21 thank you. But, obviously, you have done  
22 nothing.

23 In the meantime the world around  
24 you is moving forward town by town, state by  
25 state, laws are being passed to protect

1                   Full Legislature/8-3-15  
2   transgender people while you do nothing.  
3   Other than the time preamble of the  
4   constitution of the United States, the basic  
5   document doesn't say much about civil rights  
6   per se, until you get to the 14th Amendment  
7   which states in part, no state shall deprive  
8   any person of life, liberty, or property nor  
9   deny any person equal protection of the law.

10                   That sounds pretty simple. That  
11   amendment alone should cover any citizen in  
12   the United States, all the rights and  
13   privileges equally across the board.

14                   Yet, certain people, such as  
15   African Americans and women, had to have an  
16   amendment, Number 15 and 16, respectively,  
17   in order to give them their equal rights as  
18   citizens of this country.

19                   These amendments actually spell  
20   out the specific types of people. I would  
21   think the preamble and the 14th Amendment  
22   alone would cover everyone but it doesn't.  
23   What does this mean? That as well intended  
24   as our forefather's were in writing the  
25   Constitution of the United States, one of

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2 the greatest documents of this country, it  
3 wasn't perfect and rightly so. They were  
4 just humans.

5 This body and your lawyer claim  
6 that the LGB anti discrimination law now on  
7 the books covers transgender people in  
8 Nassau County, but it never states per se  
9 just like the constitution of the United  
10 States, which fell short on certain people  
11 and amendments had to be written to cover  
12 specific African Americans and women to  
13 bring them equal to the rest of the country.  
14 We need the proposed amendment to the  
15 existing law in Nassau that includes  
16 transgender people to be written so that  
17 there is no difference in interpretations  
18 from a judge or lawyer in a court of law.

19 I cannot impress upon you enough  
20 that by passing this amendment, it can save  
21 lives because, at present, the trans  
22 community can only be denied medical  
23 attention, be denied housing or a job in  
24 order to make a living. Transgender people  
25 can be denied public access to public places

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2 because there is no law to protect them.

3 I can't understand what your  
4 problem is, your stubbornness as to why you  
5 disregard transgender people the right to  
6 live like anyone else. I have been here  
7 many times and I have seen awards and  
8 recognitions given to people and  
9 organizations such as the police, children  
10 representing the country, going out of the  
11 country, and even celebrities, and all well  
12 deserved. Of course the photo op that comes  
13 with it.

14 But you choose to close your eyes  
15 and ears to a piece of legislation that  
16 would help the minority community, the trans  
17 community.

18 Ladies and gentleman, you must  
19 include the amendment to the present law.  
20 You have to do your jobs as legislators to  
21 protect the last minority in the county.  
22 You need to pass this law now. Thank you  
23 very much.

24 CHAIRWOMAN GONSALVES: Thank you,  
25 Barbara. Dr. Jeffrey Reynolds.



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2 DR. REYNOLDS: Good afternoon.

3 I'm Dr. Jeffrey Reynolds. I'm the President  
4 and CEO of Family and Children's Association  
5 here in Mineola.

6 I came in front of you last month  
7 to talk about a situation involving our  
8 family ties contract. We have been notified  
9 in June that that contract would be  
10 disappearing taking with it \$2.2 million, 29  
11 of my staff people, a building that we  
12 operate out of Hempstead, and most  
13 importantly services to more than 400  
14 family.

15 There was a dispute, long term  
16 labor dispute, between the Department of  
17 Social Services and CSEA having nothing to  
18 do with this particular program or this  
19 particular contract. The county lost that  
20 dispute at the hands of an arbitrator. That  
21 arbitrator urged the parties to sit down and  
22 come up with some resolution.

23 The resolution at some point in  
24 time became giving up this program, closing  
25 it down and then hoping to hire county

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2 personnel to take over these tasks.

3 Presiding Officer, when I was  
4 here a month ago, you asked me to be  
5 patient. You said we should continue the  
6 conversation and continue talking. To the  
7 best of my knowledge, no conversations have  
8 taken place. I have spent a good part of my  
9 days since that time urging the county to  
10 sit down and have a conversation with the  
11 union urging DSS to find another way. In  
12 some cases haranguing all of you to please  
13 come up with another way. So far we are 30  
14 days into this and there is no other way.

15 As this all happens, I have 29  
16 staff people who are saying to me, should I  
17 be looking for another job? We have got  
18 families, many of whom you heard from, the  
19 last time we were here, who are saying,  
20 where will I go to get services?

21 We have DSS still referring  
22 clients to our building in Hempstead and we  
23 are more than happy to serve them but they  
24 are asking the same questions, what is going  
25 on with this program? Is my lifeline about

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2 to be taken away? The most I can tell them  
3 is I don't know.

4 So I'm here again this afternoon  
5 asking for your intervention, asking for  
6 your help. This is a program that has  
7 operated for more than 20 years, that has a  
8 less than two percent child removal rate,  
9 and that, quite frankly, keeps all of you  
10 and the county off the front page of Newsday  
11 when we prevent child fatalities.

12 This is not one of those programs  
13 that hasn't been functioning well or is a  
14 wasteful expenditure of taxpayer's dollars.  
15 It's maximum bang for the buck, and, while I  
16 understand CSEA is entitled to something,  
17 there is nothing wrong with that, it needed  
18 be this particular program.

19 I have asked time and time again  
20 of the 900 jobs in DSS, how did you decide  
21 that these were the ones to go? I haven't  
22 gotten an answer to that. I'm real  
23 interested in the answer. And, quite  
24 frankly, so are the folks that we serve day  
25 in and day out.

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2 I know I only have three minutes.  
3 There is a whole bunch of other things I  
4 would like to say. But, again, I come here  
5 to reiterate my plea that you guys intervene  
6 and do something about this. It's a tragedy  
7 happening before our eyes. It's one of  
8 those programs that are working and it's  
9 working really well. So I thank you for  
10 your time.

11 CHAIRWOMAN GONSALVES: I'm glad  
12 you came here today. I'm under the  
13 impression that the CSEA and the County  
14 Executive's office are communicating.

15 However, I'm not aware whether or  
16 not you have been invited to any of the  
17 discussions between the two bodies.

18 DR. REYNOLDS: Oddly enough, no.

19 CHAIRWOMAN GONSALVES: What I  
20 will do, Dr. Reynolds, is that I will  
21 advocate on your behalf that you be involved  
22 in some of those conversations. I think all  
23 parties should be at the table at the same  
24 time. But I will advocate on your behalf so  
25 that you will be given that opportunity to

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2 voice your concerns regarding the situation.  
3 So I'm glad you came here today  
4 to update me as to the progress and I do  
5 believe that when we first spoke that all  
6 the people would be at the table and discuss  
7 their concerns. That not being the case, I  
8 will advocate on your behalf that you should  
9 be involved in some of those discussions.

10 DR. REYNOLDS: I would appreciate  
11 that and, quite frankly, I would ask you to  
12 even go further in terms of advocating for  
13 our comprehensive look at this program and  
14 for some rationality being infused into the  
15 decision making. This is a lousy decision.

16 I want to be at the table to have  
17 that conversation, but, quite frankly, I  
18 want all of you to weigh in and say, this is  
19 just bad public policy, it doesn't make  
20 sense.

21 CHAIRWOMAN GONSALVES: I was  
22 under the impression, Dr. Reynolds, that  
23 this is the direction they were headed, but  
24 obviously you have not been involved in that  
25 discussion so we don't no what direction

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2 that discussion has taken.

3 So, I will contact the County  
4 Executive's office and voice your concerns  
5 to him and hopefully there will be a  
6 resolution that will be amicable.

7 DR. REYNOLDS: I appreciate that  
8 very much.

9 LEGISLATOR SOLAGES: Presiding  
10 Officer?

11 CHAIRWOMAN GONSALVES: Legislator  
12 Solages.

13 LEGISLATOR SOLAGES: Thank you.  
14 I understand that the County Executive and  
15 the parties are in conversations or in  
16 communications now regarding this very  
17 important issue, but, for the many of the  
18 talented and well skilled professionals that  
19 work with that agency, they have to make  
20 very important decisions and, just the  
21 statement that there are communications is  
22 not enough assurance. I'm very concerned  
23 for this program.

24 Here we are as a county giving  
25 out contracts for \$25,000, \$200,000, and,

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2 yet, we have a program that works and here  
3 the program now is about to go out of  
4 business. So, I really beg, please, that  
5 there has to be some greater assurance given  
6 to this agency.

7 CHAIRWOMAN GONSALVES: Legislator  
8 Solages, let me assure that you those  
9 concerns have been addressed to the County  
10 Executive and his staff. It's not just  
11 rhetoric on my part or am I trying to  
12 appease doctor Reynolds your concerns are  
13 our concerns. I think they need to reach a  
14 conclusion that will not damage the program  
15 that is at risk. Legislator Ford.

16 LEGISLATOR FORD: Legislator  
17 Solages, just to let you know that, I feel  
18 bad for Dr, Reynolds and the program, but,  
19 rest assured, that I had spoken with a  
20 member of CSEA not too long ago and their  
21 members and their people are ready, willing,  
22 and able to take up whatever the services  
23 are that are needed. There is -- I don't  
24 think that they're looking to have these  
25 children left without any safety net, but

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2 I'm sure that --

3 LEGISLATOR SOLAGES: But in the  
4 process of someone taking over these  
5 assignments, something might get lost in  
6 translation and communication. We have an  
7 agency with skilled workers who are very  
8 familiar with certain cases that are very  
9 sensitive and cannot afford to have another  
10 person who --

11 CHAIRWOMAN GONSALVES: Hold on,  
12 Legislator Solages and Legislator Ford, I  
13 don't want the cross conversation, and  
14 standing before us is Jerry Laricchiuta,  
15 president of CSEA, you have the floor.

16 MR. LARICCHIUTA: Thank you,  
17 Majority Leader Gonsalves and Minority  
18 Leader Kevan and all the legislators here.

19 Obviously I was not here, and I  
20 am not here today to speak on this matter.  
21 I didn't know this was going to be  
22 addressed. I'm going to keep it short by  
23 saying what Legislator Ford said is correct.

24 Just to clarify a few things.  
25 This is work that as historically done by



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2 CSEA workers. This is nothing new to us.  
3 Legislator Solages might not know that. But  
4 this is work that we had done over many  
5 years.

6 When the award came out, I  
7 believe FCA also does PINS diversions. I  
8 could be wrong on that.

9 The original award was \$2.5  
10 million to CSEA to take back the PINS  
11 diversion work that was subcontracted out.  
12 We, deciding that that was a very  
13 complicated issue, and one that the not for  
14 profit might be doing actually very well at,  
15 we relented and said we will take the lesser  
16 of the two and went for preventative which  
17 is only \$1.5 million.

18 We actually gave back, even  
19 though the arbitrator awarded us the entire  
20 amount, we could have taken everything back,  
21 we, voluntarily allowed the PINS diversion  
22 to stay where it was because it is a very  
23 complicated issue.

24 Now, CSEA workers from probation,  
25 DSS, have worked in preventative PINS cases

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2 and preventative measures with families for  
3 many years. We have been inundated with  
4 calls from some of the families and workers  
5 from FCA and I get it, and as a union  
6 leader, I never want to see anyone lose  
7 their job. That's not my purpose.

8 When we file grievances, we don't  
9 look up the contractor. If our work is  
10 subcontracted out, then we simply do an  
11 investigation and decide was this our work,  
12 and, if it was our work, why is it being  
13 taken away from us. If we believe there's a  
14 grievance, it has to go through a big  
15 process, which goes all the way up to  
16 Albany, that's reviewed by several  
17 attorneys, comes back down and says this  
18 case has merit. Then we go forward with the  
19 grievance.

20 So, this certainly wasn't some  
21 dream we woke up one day and said, let's go  
22 after these jobs, we want to hurt this not  
23 for profit. That's not even close to the  
24 case. So, when I hear things like, this is  
25 a tragedy that these families are going to

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2 be hurt, it almost gives the impression as  
3 if the county workforce is incapable and  
4 cannot deliver the same services, when, in  
5 fact, we have been doing it for many years  
6 and, if we were all about the numbers, we  
7 would have taken the whole thing back  
8 including the PINS diversion, which we did  
9 not because we think they do a better job in  
10 that one area because it's very complicated.

11 The only other thing I would ask  
12 at this point, I would like to see some  
13 transparency here, since this has been  
14 brought up to the leg many times. I would  
15 like to see what the actual not for profit  
16 money, how it is distributed in this case.

17 If they receive \$1.5 million and  
18 \$2.5 million for another case, what are the  
19 salaries of the not for profit board and  
20 staff, and how much of every dollar actually  
21 goes to the children.

22 I can tell you, when CSEA does  
23 it, there is no subtraction. It's our  
24 entire workforce goes right for the job.  
25 The salaries are embedded in our every day

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2 work which they do many many other jobs. I  
3 went even longer than I wanted to, but I  
4 just have to defend my union now because  
5 we've been on this -- I've been allowing  
6 this one sided debate to go on for a month  
7 and a half without any come back. I can't  
8 allow it go on anymore because our people  
9 are extremely qualified, experienced, and  
10 caring, and they do a very good job. So I  
11 just wanted to let you know that.

12 CHAIRWOMAN GONSALVES: Thank you,  
13 Jerry. This is not going to be a public  
14 debate. I have several people here. I'm  
15 sorry. You had your opportunity to speak  
16 and both of my legislators had their  
17 opportunity. I think you should sit down.  
18 Right now, if you have a disagreement with  
19 Mr. Laricchiuta, go and talk to him in the  
20 anti-room.

21 In the meantime, I need to get to  
22 each and every person that has put in a slip  
23 and there are several before I have to call  
24 the end of public participation. I have  
25 Doug Wood from Port Washington.

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2 MR. WOOD: Thank you very much.

3 Good afternoon, everyone. My name is Doug  
4 Wood and I'm the co-creator of the Baby-Safe  
5 Project on the web at Baby Safe Project.org.  
6 You may have seen some of our literature.  
7 I'm here to talk about the wireless  
8 radiation legislation.

9 The mandate of this county  
10 government is first and foremost to protect  
11 the health and safety of its citizens. I  
12 want to thank you for the work that you have  
13 done in the past.

14 Over the past several decades,  
15 there's been a growing body of evidence  
16 demonstrating biological effects from RF  
17 radiation at levels far below the FCC  
18 limits. This was once thought to be  
19 impossible. Now we know it's not only  
20 possible, but it's happening.

21 Speaking of the FCC, you should  
22 be aware that the testing of wireless  
23 devices is done on a 220 pound male, not  
24 done on a developing baby. The exposure  
25 limits at the FCC were last updated in 1996.

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2 So, for those of you who have an  
3 iPhone, anyone in the audience with an  
4 iPhone, if you take it out and look at  
5 settings, and then you look at general, and  
6 then you look at about, then you go to  
7 legal, and then you go to RF exposure, you  
8 will see, Madam Presiding Officer, exactly  
9 what you suggested, which is a warning. Do  
10 not hold this device against your body.  
11 Because, in fact, none of the major  
12 insurance companies are insuring the  
13 wireless carriers against potential  
14 litigation over health risks from wireless  
15 radiation.

16 You will hear in a couple of  
17 minutes about some research that was done at  
18 Yale that is really the reason I'm here.  
19 Because the researchers at Yale weren't  
20 really looking for neurological problems,  
21 they were looking for cancer.

22 But what they found was really  
23 startling to them and should be concerning  
24 to everybody in this room. In studies that  
25 have been duplicated but never disputed by

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2 the industry, they found that the developing  
3 brains of babies exposed to wireless  
4 radiation during pregnancy were actually  
5 wired differently from brains that were not  
6 exposed. Let me be clear, I'm talking about  
7 laboratory mice, not talking about real  
8 babies here. But we use mice in  
9 laboratories to determine the effect of  
10 things on humans.

11 How much exposure is too much?  
12 Nobody knows for certain, but we really  
13 don't want any county employee sitting right  
14 next to a wireless router 8 hours a day,  
15 five days a week if they're pregnant.

16 Now, science can be frustrating.  
17 It moves really slowly. It pays no  
18 attention to politics. It doesn't worry  
19 about corporate profits. It always lags  
20 behind commerce. This issue has been coming  
21 down the track at us for a couple of years  
22 now and it's getting to point that, even  
23 though we can't prove cause and effect, and  
24 we may never have that proof because we  
25 don't do experiments on people. We have

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2 enough information to protect public health.

3 CLERK MULLER: Your three minutes  
4 have expired.

5 MR. WOOD: This is a right to  
6 know issue. You have an obligation to  
7 protect the health and safety of your  
8 constituents and people who work in Nassau  
9 County buildings have an absolute right to  
10 know about exposures that can impact their  
11 health or the health of their baby.

12 I really hope that you will take  
13 a serious look at this legislation and  
14 consider this. This is common sense  
15 legislation. We are only asking for  
16 wireless routers to be identified as to  
17 their location.

18 CHAIRWOMAN GONSALVES: Thank you,  
19 Mr. Wood. Patricia Wood.

20 MS. WOOD: My name is Patricia  
21 Wood. I'm the executive director of Grass  
22 Roots Environmental Education and a visiting  
23 scholar at Adelphi University's College of  
24 Nursing and Public Health.

25 Just briefly, for background



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2 purposes, Grass Roots was the primary  
3 organization behind the first in the nation  
4 historic New York State Legislation banning  
5 pesticides on school grounds and we were  
6 very active in helping to educate New York  
7 State officials about the public health  
8 impacts of hydro-fracking which resulted in  
9 Governor Cuomo's decision not to allow this  
10 industry in New York.

11 Last year we were honored to work  
12 with Presiding Officer Norma Gonsalves and  
13 this entire body to enact model legislation  
14 prohibiting fracking waste in Nassau County,  
15 and your legislation is currently being  
16 considered as legislation by the New York  
17 City Council as they also move forward with  
18 a fracking waste ban.

19 But I'm here today to speak on  
20 the wireless technology notice law. Radio  
21 frequency radiation or wireless radiation is  
22 currently utilized for our computers, our  
23 tablets, cell phones, and wireless internet  
24 networks amongst a growing number of other  
25 devices.

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2 Initially, this technology was  
3 used by the military, but it is now embraced  
4 by practically every one of us, both for  
5 personal use and in our work places. But,  
6 as is the case, for many technological  
7 advances, the science on the potential harm  
8 from these devices moves more slowly but it  
9 is beginning to catch up.

10 With well over 1,000 peer  
11 reviewed academic studies definitively  
12 showing that this type of radiation is  
13 biologically active, it seems reasonable to  
14 understand now that we might want to protect  
15 vulnerable populations. Biologically active  
16 means that it has a direct physiological  
17 effect on the cellular and molecular level.

18 To cite one example that was  
19 already mentioned, a recent study that came  
20 out of Yale shows that the offspring of  
21 pregnant mice who were exposed to wireless  
22 radiation exhibited changes in the part of  
23 the brain responsible for behavior and  
24 learning. The study was conducted by Hugh  
25 Taylor who is the head of reproductive

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2 sciences at Yale Medical School and his  
3 colleagues.

4 His simple advice to pregnant  
5 woman looking at the results of this study  
6 which was replicated many times, was to take  
7 reasonable precautions citing no downside to  
8 being careful.

9 Also among those that are more  
10 vulnerable to the effects of wireless  
11 radiation are people who have implanted  
12 medical devices. I thought about this as  
13 that young woman who has diabetes was  
14 speaking earlier and being recognized for  
15 her work, that many people, not only  
16 diabetics but other people who have heart  
17 monitors and so on, are also more vulnerable  
18 to the effects of wireless radiation, and  
19 also people suffering from EHS, which is  
20 Electromagnetic Hypersensitivity. We are  
21 now saying that perhaps three to five  
22 percent of the American population are  
23 suffering from this sensitivity.

24 This spring a letter signed by  
25 200 researchers from around the world who

1                   Full Legislature/8-3-15  
2   study the effects of wireless radiation who  
3   believe there is now more than enough  
4   evidence to classify wireless radiation as  
5   possibly carcinogenic, sent this letter to  
6   the secretary general of the United Nations  
7   urging the adoption of more protective  
8   standards for exposure limits and stricter  
9   controls.

10                  Respected medical groups in this  
11   country are starting to pay attention. The  
12   American Academy of Pediatrics is urging the  
13   FCC which regulates radiation levels in  
14   communications devices to adopt standards  
15   that are more protective for children and  
16   better disclose products, EMF levels to  
17   consumers.

18                  Wifi routers in workplaces are  
19   usually more powerful than routers we have  
20   in our homes. These commercial routers  
21   continuously expose workers eight hours a  
22   day, five days a week, 12 months a year.  
23   Proximity is very important. And just  
24   simply moving the router or sitting at a  
25   greater distance from a router can make a

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2 big difference.

3 Knowing the location of a  
4 concealed router, which might be a router up  
5 above a dropped ceiling will give employees  
6 the choice to reduce their proximity. Acute  
7 health effects reported from continuous  
8 wireless radiation exposures include  
9 fatigue, headaches, impaired concentration,  
10 visual disruption and dizziness.

11 The highly complex nature of  
12 radio frequency radiation and the human body  
13 and their interactions and frequent  
14 technological updates means that a simple  
15 assurance of long term safety cannot be  
16 guaranteed.

17 CLERK MULLER: Your three minutes  
18 have expired.

19 MS. WOOD: Okay. Therefore,  
20 disclosing wireless router locations so that  
21 vulnerable populations and those wishing to  
22 reduce their exposure to wireless radiation  
23 seems like a responsible step to take.

24 I thank all of you for your  
25 thoughtful consideration of this important

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2 emerging public health problem.

3 CHAIRWOMAN GONSALVES: Thank you,  
4 Ms. Wood.

5 LEGISLATOR DERIGGI-WHITTON: I  
6 just want to mention that the legislation,  
7 we were happy to work with the Woods and  
8 Grass Roots. Every one has a copy of it.  
9 Suffolk County has something very similar to  
10 this. Basically all we're doing is allowing  
11 people to have the choice. If it's  
12 something that they're concerned about,  
13 there are times when modems are behind walls  
14 and someone might not even realize that a  
15 modem is not even there.

16 So I think it gives not only  
17 pregnant woman, but, again, my daughter,  
18 with a medical device that can be affected  
19 by radiation, it just gives them the  
20 information that I think every one is  
21 entitled to which is where these devices  
22 are. Again, just moving a few feet away can  
23 make a big difference.

24 It was submitted. I hope that  
25 this legislation is called and I would

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2 really appreciate, as we did with the  
3 fracking, it would be unanimous when we vote  
4 on it.

5 CHAIRWOMAN GONSALVES: Thank you,  
6 Legislator DeRiggi-Whitton. Paula Blum.

7 MS. BLUM: This is another  
8 problem in the county. Good afternoon. I'm  
9 Paula Blum, vice-president of the League of  
10 Women Voters in Nassau County.

11 As you all know, in June, New  
12 York City reversed its plan to reopen its  
13 Queens ground water wells while it repairs  
14 its water tunnel. This, however, is just a  
15 temporary reprieve. In no way does it mean  
16 that the county's drinking water worries are  
17 over. They are not.

18 The city's planned groundwater  
19 pumping would only have exasperated the  
20 already existing water crisis that's a  
21 result of the county's unsustainable  
22 over-pumping of our aquifer system.

23 The county has ignored the  
24 situation for far too long. At this point,  
25 protection of our aquifers has to be on the

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2 very top of the priority list. Over-pumping  
3 has to be stopped before it's too late.

4 There are numerous actions that can be taken  
5 towards this end. The county can and must  
6 strengthen the water conservation ordinance  
7 and strongly enforce it. Set water use  
8 reduction goals compatible with a managed  
9 yield approach. Work with the USGS to  
10 determine where the saltwater intrusion  
11 boundaries are, make the public aware of the  
12 facts and work to reduce water use  
13 throughout the county. Activate a strict  
14 management and mitigation plan and work with  
15 the USGS to support the western Long Island  
16 Groundwater and Sustainability study.

17 Further, the county must  
18 implement policies that will reduce and  
19 remediate contamination from existing  
20 contamination plumes. Since we have the  
21 largest number of super fund sites in the  
22 state, it is incumbent on the county to be  
23 the leader in promoting better and faster  
24 remediation of these sites.

25 Years of inaction have allowed



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2 these toxic plumes to go unaddressed and to  
3 spread. Thereby inflicting far greater  
4 damage on our vulnerable and limited supply  
5 of drinking water. We need regular reports  
6 on the status of our drinking water  
7 resources.

8 The Water Resources Board must  
9 release annually to the public information  
10 similar to that provided by the Nassau  
11 County Health Department publication,  
12 groundwater and public water supply facts.  
13 The county must work with the USGS to ensure  
14 timely public disclosure of the annual water  
15 information collection program. Without  
16 adequate information, appropriate action is  
17 impossible.

18 Basically we have to regard  
19 groundwater protection as a critical ongoing  
20 effort for all concerned.

21 I don't know how many of you are  
22 aware that we are actually in sort of a  
23 drought situation, despite all the rain, we  
24 have about four or maybe five inches less  
25 rain by this time of the year than we have

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2 in the past. It's something that we really  
3 can't ignore.

4 CLERK MULLER: Your three minutes  
5 have expired.

6 MS. BLUM: Thank you.

7 CHAIRWOMAN GONSALVES: I think  
8 you need to know something. We have two  
9 commissions; one is the Long Island  
10 Commission on Aquifer Protection, and the  
11 other is the Long Island Water Resource  
12 Board.

13 Just as recently as this morning,  
14 Legislator Ford and Legislator Schaefer met  
15 with Sara Mayland regarding some of the  
16 issues that you have brought up. We are not  
17 blind to the concerns that you have  
18 addressed and we are certainly not be as  
19 trustworthy as some may think that Queens  
20 will not reopen their well.

21 We have two bodies here in Nassau  
22 County, and one of them is in conjunction  
23 with Suffolk County. So, we certainly do  
24 take a very watchful eye on our water  
25 supply, and I know that Legislator Jacobs

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2 and Legislator Ford work for a long, long  
3 time regarding the Lloyd Aquifer and the  
4 problems that would have been created had  
5 they not taken that watchful eye.

6 I really and truly want you to  
7 know that we are very into protecting our  
8 water supply and we will do everything that  
9 we have to do to make sure it is safe. And  
10 no entity will impact on it.

11 MS. BLUM: I have no doubt about  
12 you're all caring about it and being very  
13 aware of it and studies have been done on  
14 it, but very little action has been taken in  
15 terms of conserving the water.

16 New York City actually has done a  
17 lot more than we have. New York City has  
18 helped pay to install apparatus on different  
19 toilets to lower the amount of water used.  
20 It's really done a lot to reduce its use of  
21 water. It reduced it significantly. We  
22 have not reduced our use of water. This is  
23 something that needs to be done.

24 CHAIRWOMAN GONSALVES: Paula, I  
25 thank you for your comments and I'm sure

1                   Full Legislature/8-3-15  
2   Legislator Ford and the rest of the  
3   legislators on this body will certainly take  
4   your concerns into mind.

5                   MS. BLUM:   Thank you.

6                   CHAIRWOMAN GONSALVES:   I have  
7   three speakers here from the union, I  
8   believe.   I have a Jack Majkat and also an  
9   Edward Enders and Art Gipson.   I'm over the  
10   30 minutes by quite a bit.   I want to be  
11   able to call without any problem but if I  
12   call all three we certainly will be far  
13   over.   Is there any one of the individuals  
14   who would like to speak on behalf of the  
15   rest of them?   Jack Majkat, would you like  
16   to speak on their behalf?

17                  MR. MAJKAT:   Sure.

18                  CHAIRWOMAN GONSALVES:   If it's  
19   not satisfactory, then after we go into Full  
20   Legislative Session, who will be back to  
21   address the other individuals who have put  
22   in slips.   I've gone well over the half  
23   hour.   I think I've gone closer to an hour.

24                  MR. MAJKAT:   I'll be brief.   Good  
25   afternoon, Chairwoman Gonsalves, ladies and

1 Full Legislature/8-3-15  
2 gentlemen, the board. My name is Jack  
3 Majkat, and I'm a business representative  
4 for the International Brotherhood of  
5 Electrical Workers, Local 25. IBW  
6 represents thousands of working families  
7 here on Long Island specifically here in  
8 Nassau County.

9 Today I'm here to make the  
10 legislative body aware of a situation that  
11 could cause a possible violation of New York  
12 State prevailing wage laws at the Nassau  
13 County Coliseum. Forest City Ratner have  
14 begun negotiations with the Nassau Suffolk  
15 Building Trades for the renovation of the  
16 Nassau County Coliseum and the 188,000  
17 square feet of retail on the Nassau Coliseum  
18 property.

19 While Forest City has agreed to  
20 pay the prevailing wage for the Coliseum for  
21 the core and shell of the 188,000 square  
22 foot of retail, they are adamant not to pay  
23 the prevailing wage for all the tenant build  
24 outs of the 188,000 square feet of retail.

25 In fact, they are looking for a

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2 20 percent reduction in the overall package  
3 from the trades across the board. Not only  
4 does Nassau County own this property, they  
5 are financially benefiting from the lease  
6 agreement. This project should be done at  
7 the full prevailing wage rate set forth by  
8 New York State.

9 When Forest City was asked why  
10 they needed such a concession, they claimed  
11 it was because they would not be able to  
12 rent the tenant space because of  
13 construction costs. The reality is,  
14 Roosevelt Field Mall is only 2.8 miles away  
15 and has no problem renting and constructing  
16 their build-outs at the area standard wage.

17 Forest City also argued that  
18 Roosevelt Field Mall is an established  
19 location and could afford to build --  
20 couldn't afford to build at the area  
21 standard rate. The Nassau Coliseum has been  
22 open for 43 years. How much longer does it  
23 need to be opened to be considered  
24 established?

25 So, my question is, does Forest

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2 City really need to violate New York State  
3 prevailing wage laws in order to rent these  
4 spaces, or to line their pockets with higher  
5 profit margins?

6 Forest City has already amended  
7 their lease with Nassau County for the  
8 Coliseum to receive their EB5 financing for  
9 a low interest rate loan and has just  
10 received approval for an additional 3.4  
11 million in sales tax exemptions and 1.1  
12 million reduction in mortgage recording  
13 taxes approved by the Nassau IDA.

14 Now, they have their hands out  
15 again and want wage reductions on the backs  
16 of the hard working construction workers.  
17 When is enough enough?

18 On behalf of all the workers here  
19 today and all those affected by this wage  
20 reduction, please do not allow this  
21 violation of New York State prevailing wage  
22 law to occur. Thank you for your time and  
23 opportunity to speak.

24 CHAIRWOMAN GONSALVES: Now we  
25 have Art Gipson and Edward Enders. Then I

1                   Full Legislature/8-3-15  
2   have to call public comment to a halt until  
3   we finish the legislature.

4                   MR. GIPSON:   Good afternoon,  
5   legislators.   I'll be very brief.   I was  
6   recently at the Nassau County IDA meeting  
7   last week.   I listened to Ratner's legal  
8   team talk about how close they are to  
9   negotiating the project with the Nassau  
10   Suffolk Building Trades.

11                  We haven't spoken with them in  
12   over two weeks.   They're talking about this  
13   project being started in less than three  
14   weeks from now or three weeks from today.  
15   Not one of my contractors have been  
16   contacted on any of this work, nor has any  
17   of the other building trade unions.

18                  Nothing was true of what they  
19   said in order to get their four and a half  
20   million dollars of Nassau IDA money.   There  
21   is no negotiations going forward unless we  
22   agree to a 20 percent reduction in the  
23   prevailing wage like brother Mike had just  
24   spoke about, which would be a Department of  
25   Labor violation.   You cannot circumvent the



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2 prevailing wages. 20 percent less would be  
3 a violation. Thank you.

4 LEGISLATOR NICOLELLO: Minority  
5 Leader Abrahams.

6 LEGISLATOR ABRAHAMS: Thank you,  
7 Deputy Presiding Officer Nicolello. To Art,  
8 I know Art just left, Gipson, it was always  
9 this legislature's understanding, and I can  
10 go back to look at the actual transcripts,  
11 but I can tell you that it was always our  
12 understanding that the entire project, not  
13 just Phase I or Phase II, the entire  
14 project, and I think I can speak for  
15 everybody at this dais, that it will be done  
16 with a PLA, not a reduction or anything to  
17 that magnitude.

18 We plan on writing a very, very  
19 intense strong letter to the County  
20 Executive encouraging him to get involved in  
21 this process with Mr. Ratner Forest City.

22 You may remember when we were  
23 discussing, or debate discussion, regarding  
24 EB financing a little time ago, some of  
25 these questions came up. Not just tied to

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2 the financing, but questions regarding where  
3 Forest City was going to spend additional  
4 perceived profits.

5 One of the things that I was  
6 pushing for, obviously making sure the  
7 unions have a PLA, is that the committees  
8 and those surrounding areas have proper  
9 money spent in their areas as well.

10 Again, we saw last week with the  
11 IDA approving this particular measure in  
12 regards to the exemption of taxes, all of  
13 this needs to be looked as whole and not in  
14 a vacuum.

15 Now we are hearing these issues  
16 with the PLA. To me, it just seems like we  
17 are being sold a bad bill of goods. Forest  
18 City has had a track record, from what I  
19 understand, of being a very credible partner  
20 with the community and with labor. That was  
21 one of the things that they touted when we  
22 first supported this particular endeavor  
23 going back to the last year.

24 But, it just seems to me that now  
25 here in August of 2015, I just don't see it.

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2 I know that there are many folks in labor  
3 that will say they were a great partner at  
4 the Atlantic yards project, I'm sure they  
5 will say that. But, from Nassau County's  
6 perspective, I hear it from you, now I heard  
7 it from the community, I have heard it from  
8 many others that it's not generating what  
9 they thought it would. But that's what we  
10 will do from our side. I would love to be  
11 able to do that letter with the majority and  
12 make it a joint letter as well, and continue  
13 to stay on top of this.

14 Keep it mind that the Phase I has  
15 gone forward, Phase II is a phase that has  
16 to come back to this legislature. Though  
17 that's down the road, I assure you that  
18 Phase II, we will make sure that the cart is  
19 not before the horse. And the PLA is here  
20 before the actual project goes forward.

21 MR. GIPSON: Being that you  
22 brought up the Phase II, that was a direct  
23 comment from the legal team from Ratner was  
24 that there is no way that we can do the  
25 188,000 square foot fit out, which is all

1                   Full Legislature/8-3-15  
2     the work. This building as a shell is very  
3     minor. When you get to all the nit and grit  
4     of everything inside of it, that's the work.  
5     That's the meat and potatoes. I was told, I  
6     can assure you that this will not be done at  
7     the prevailing wage, we can't afford it.

8                   LEGISLATOR ABRAHAMS: I'm going  
9     to ask my counsel, request that we actually  
10    pull the transcript because I remember  
11    vividly, and I can maybe be wrong, that the  
12    Forest City folks spoke from the podium and  
13    gave this legislature their assurance that  
14    these projects will be done with a PLA.

15                  At the end of the day, if they  
16    are not going to be done by a PLA, then we  
17    need to find somebody --

18                  MR. GIPSON: We'd rather not see  
19    them build.

20                  LEGISLATOR ABRAHAMS: Because if  
21    we're going to pay a substandard wage, who  
22    can pay the taxes in these counties on Long  
23    Island while at the same time not receive a  
24    salary that commensurates being able to do  
25    that?

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2 MR. GIPSON: Being able to come  
3 forward and speak independently with his  
4 legal team and fracture the building trades  
5 was an insult to all our unions. I just  
6 want to put that on record. That's what I  
7 was advised to do. Come in, talk one on  
8 one, don't try to do it as a group. We are  
9 the Nassau/Suffolk Building Trades, we're  
10 going to stand strong on this one.

11 And, Art, just in summary. The  
12 Forest City people have received a great  
13 deal to come in and do the project at Nassau  
14 Coliseum. I've talked about the financing  
15 with the EB and then now the tax exemptions.  
16 They've received a great deal and, again,  
17 where's the benefit to labor, where's the  
18 benefit to the communities that surround  
19 that area that are going to see the see  
20 traffic and the day in and day out hassles  
21 of being next to the coliseum or any  
22 particular facility? I just don't see it.

23 From that standpoint, that's why  
24 we have been disappointed, or some of us  
25 have been disappointed in this process as it

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2 played out. We are going to stand with you  
3 and write the County Executive as well as  
4 Forest City.

5 MR. GIPSON: Thank you.

6 LEGISLATOR DUNNE: Madam Chair.

7 CHAIRWOMAN GONSALVES: Edward  
8 Enders, I believe you are?

9 MR. ENDERS: Yes, I am. Good  
10 afternoon. My name is Edward Enders. I'm  
11 with the Northeast Regional Council of  
12 Carpenters. As you can see, some of my  
13 fellow members are with us today.

14 I would like to speak about the  
15 Coliseum and the new development around it.  
16 I have two issues. The first that since the  
17 Coliseum was built back in 1972, the  
18 carpenters have had an agreement with the  
19 Coliseum to do all the maintenance on what  
20 is known as change-over work at the  
21 Coliseum.

22 At this time Forest City Ratner  
23 has not agreed to keep their current  
24 agreement in place. The carpenters are not  
25 looking for something new or extra. We just

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2 want to have the same agreement that we've  
3 had for over 40 years. My second issue is  
4 the property that surrounds the coliseum is  
5 going to be developed, which is a good idea.  
6 I think it's 77 acres of parking lot. So to  
7 start to develop it is a good idea. This  
8 was county property, that was mentioned  
9 before, which falls under prevailing wage.

10 My issue is that Forest City  
11 Ratner is only willing to sign a PLA  
12 agreement for the basic shell of the  
13 building, not the entire fit-out of the  
14 building and the tenant work.

15 Since this is county property,  
16 and falls under prevailing wage, my question  
17 is to you, why does Forest City Ratner have  
18 a problem with this? Thank you for the  
19 opportunity to speak and hopefully this can  
20 all be resolved and we can move forward with  
21 this project. Thank you very much.

22 CHAIRWOMAN GONSALVES: Mr.  
23 Enders, I would like to say something to the  
24 entire body here today. I heard from you  
25 here, and I have heard from others along the

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2 way. It's my understanding that all of the  
3 projects within this development is going to  
4 be PLA.

5 It was also my understanding that  
6 if they received any IDA benefits or tax  
7 exemptions that they have to have a PLA as  
8 well as provide prevailing wage. There are  
9 a lot of questions that need to be answered.  
10 I have to say this to you. I, for one, want  
11 to hear some of those answers, and, I, for  
12 one, think you have to continue your  
13 advocating on behalf of your members  
14 primarily because a promise is a promise  
15 that should be kept.

16 I believe that, I remember when  
17 we were at the college when this was  
18 announced. The union that backed the entire  
19 project was the Carpenters Union. They were  
20 there in full force. And I hope that that  
21 commitment on the part of Ratner stands to  
22 the Carpenters Union as well, because they  
23 certainly stepped up to the plate.

24 So, continue to negotiate and, I  
25 will tell you right now, there are things in



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2 your favor to make sure that you get what  
3 you should by law.

4 So I thank you for coming and  
5 spending the time here today, but I think  
6 it's important that we all feel the same  
7 thing and we all be on the same page at the  
8 same time.

9 I have Legislator Dunne who wants  
10 to say something and we will go on with that  
11 and then we will have to go on to the  
12 regular session.

13 LEGISLATOR DUNNE: Thank you,  
14 Madam Presiding Officer.

15 In 1996, I sat, and so did Ed  
16 Mangano, with Local 7 of the Carpenters  
17 Union, which is no longer in existence, they  
18 got merged, but, at that time Bill Weitzman  
19 was the President and Chris Fusco was the  
20 vice president.

21 We developed the prevailing wage  
22 law, brought it here to the legislature, in  
23 1996, the first year we were in existence,  
24 and we developed the prevailing wage law,  
25 and we will not, we should not let it be an

1 Full Legislature/8-3-15  
2 infringement in any way, shape, or form. So  
3 I think you guys should get the prevailing  
4 wage.

5 MR. ENDERS: Thank you very much.

6 CHAIRWOMAN GONSALVES: My  
7 apologies for going on so long but I thought  
8 that we really and truly needed to here hear  
9 from at many as we could within the so-call  
10 half hour limit.

11 Before we go on any further, I  
12 believe that we have a consent calendar but  
13 we are not going to call the consent  
14 calendar. That means those items that were  
15 unanimously approved in committees, but we  
16 two items that we need to call first.

17 LEGISLATOR BECKER: Madam chair,  
18 listen, before we begin our session, I have  
19 something that you don't know what I'm going  
20 to say.

21 I want to address my colleagues  
22 just briefly on this legislative body on  
23 both sides of the aisle. I don't think --  
24 as you know, I have been here 20 years and  
25 I'm leaving in December. I think you

1                   Full Legislature/8-3-15  
2   understand the tremendous tremendous  
3   responsibility that this body has. I think  
4   I was just looking at one of the reports,  
5   3.2 billion dollars responsible for Nassau  
6   Community College, the Police, on and on and  
7   on.

8                   I've always said being elected,  
9   you can never expect to be fully compensated  
10   for the work you do. However, I began as a  
11   legislator at 39-5 or whatever it is, and  
12   I'm ending at 39-5 and I just feel that we  
13   work very, very hard. Our salary should  
14   never be a partisan issue and, in the past  
15   it was. I have a wonderful sense -- well,  
16   whatever, whose ever side it is, it  
17   shouldn't be a partisan issue.

18                  I know everybody in this body  
19   works extremely hard both in their district  
20   and here at the legislature. But the window  
21   is closing for us and, as you know, I'm  
22   leaving and, maybe it's a little crazy that  
23   I'm the one that wants to push this a little  
24   bit, but the window is closing for us  
25   because, according to our charter, we have

1                   Full Legislature/8-3-15  
2   to pass legislation that raises our  
3   salaries. I'm not saying that it should be  
4   the \$80,000 that was recommended by a panel  
5   when they raised the County Executive's  
6   salary and comptroller's salary, but I'm  
7   petitioning and almost pleading, even though  
8   I'm not going to benefit from this in any  
9   way that our minority leader, Kevan  
10  Abrahams, and our presiding officer, Norma  
11  Gonsalves, get together and on behalf of  
12  this body let us do the right thing.

13                   It's not just the right thing for  
14  ourselves. If we respect this body as an  
15  institution, 39-5 or 39 whatever the hell it  
16  is that we're getting paid is an absolute  
17  joke. It comes back in our faces that if  
18  we're willing to do this for 39-5 with all  
19  the responsibilities and all that comes with  
20  it and all the problems we face -- and I'm  
21  telling you, there have been very few good  
22  moments in this body, and I'm really asking,  
23  our leadership and everybody in this body to  
24  push the leadership to let's get a bill  
25  passed that gives us a reasonable raise, not

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2 me, but you, a reasonable raise, because  
3 this institution is deserving of it.

4 The presiding officer and the  
5 minority leader, I see what you do Kevan,  
6 and you are a hard hard worker. I see what  
7 Norma does. She's here 24/7. It's totally  
8 ridiculous. And you, in your districts, and  
9 to the new people Siela, and Carrie, and  
10 it's ridiculous that you work so hard and  
11 you get paid 39-5.

12 So I'm just bringing it, putting  
13 it out there, that the window is closing  
14 before we get into the heavy election  
15 season, let's do the right thing. If we're  
16 not doing it for ourselves, let's do it for  
17 this institution that deserves to be  
18 compensated far more than we're getting.  
19 Thank you very much, presiding officer.

20 To my fellow carpenters out  
21 there, we're not even getting prevailing  
22 wage and we're fighting for you and you're  
23 entitled to it.

24 CHAIRWOMAN GONSALVES: We are  
25 going to go out of order today. We have

1 Full Legislature/8-3-15  
2 emergency items as well as the consent  
3 calendar but I'm going out of order.

4 We have two appointments today;  
5 both of them are to the Taxi and Limousine  
6 Commission and I'm going to begin with the  
7 first one, which is Item 35, Resolution 157,  
8 a resolution to confirm the County  
9 Executive's appointment of Francis X. Murray  
10 to the Taxi and Limousine Board pursuant to  
11 the Nassau County Charter Section 203 and  
12 Article 21B, Section 2160B.

13 Motion, please.

14 LEGISLATOR WALKER: So moved.

15 LEGISLATOR KOPEL: Second.

16 CHAIRWOMAN GONSALVES: Moved by  
17 Legislator Walker, seconded by Legislator  
18 Kopel. We have Mr. Murray before us. Would  
19 you like to come up to the podium and  
20 introduce yourself?

21 MAYOR MURRAY: Good afternoon.

22 CHAIRWOMAN GONSALVES: Good  
23 afternoon, Mayor Murray.

24 MAYOR MURRAY: Thank you for  
25 appointing me. I will work very hard for

1 Full Legislature/8-3-15

2 Nassau County. I was a mayor over the last  
3 four years and I promise you I will bring my  
4 talents and my tenacity to this commission  
5 for all of you. So, thank you, for  
6 appointing me, I think.

7 CHAIRWOMAN GONSALVES: We haven't  
8 taken a vote yet. Legislator Kopel would  
9 like to say a few words.

10 LEGISLATOR KOPEL: I have had the  
11 pleasure of working with Mayor Murray since  
12 the redistricting several years ago. I have  
13 to say, we are all very, very lucky to have  
14 you, that you are willing to serve on this  
15 commission because it's an important job,  
16 and I just been very impressed with the  
17 wonderful work you are doing in Rockville  
18 Centre, it's a terrific village. It's  
19 terrifically well run. I want to say thank  
20 you for agreeing to do this.

21 CHAIRWOMAN GONSALVES: Legislator  
22 Curran.

23 LEGISLATOR CURRAN: Hello Mayor.  
24 I'm actually very excited to vote for you.  
25 I too represent a part of Rockville Centre.

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2 I really enjoy working with you. You're a  
3 very hard worker. Also, I think in  
4 Rockville Centre, the importance of taxis is  
5 paramount because there is such an active  
6 night life there. So, you understand. All  
7 of our communities, especially on the South  
8 Shore, we are seeing a lot more people who  
9 use taxis and who rely on them. So, to have  
10 you on the board, I think is quite  
11 heartening.

12 MAYOR MURRAY: We have issues  
13 with taxis in Rockville Centre. We are  
14 blessed to have a very vibrant downtown, as  
15 you mentioned, over 100 restaurants. It's a  
16 very very busy place, so we definitely have  
17 our issues, unsolved issues with our taxi  
18 situation. So, this will, hopefully  
19 enlighten me, and like I said before, bring  
20 all the talents I have to this commission.  
21 So, thank you once again.

22 CHAIRWOMAN GONSALVES: Any other  
23 questions of Mayor Murray?

24 (No verbal response.)

25 Is there any public comment



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2 regarding Mayor Murray?

3 (No verbal response.)

4 There being none, all those in  
5 favor of confirming the County Executive's  
6 Appointment of Francis X. Murray signify by  
7 saying aye.

8 (Aye.)

9 Any opposed?

10 (No verbal response.)

11 The item passes unanimously.  
12 Congratulations, and that's a good thing.

13 Next we have another item, which  
14 is Item 36, Resolution 158, the County  
15 Executive's appointment of Joseph R. Scalero  
16 to the Taxi and Limousine Board.

17 Motion, please.

18 LEGISLATOR NICOLELLO: So moved.

19 LEGISLATOR KOPEL: Second.

20 CHAIRWOMAN GONSALVES: Moved by  
21 Deputy Presiding Officer Nicoletto, seconded  
22 by Legislator Kopel. Where are you, Mr.  
23 Scalero?

24 MR. SCALERO: Good afternoon. I  
25 don't know what to say. In the time I've

1 Full Legislature/8-3-15  
2 been here today, I followed a hero dog, some  
3 remarkable youth, a legendary mayor, and an  
4 impassioned plea by my former Legislator  
5 Becker, so that you can make more than New  
6 York City fast food workers. But I thank  
7 you for having me before you today and the  
8 confidence that you are showing and I just  
9 want to say thank you all.

10 LEGISLATOR NICOLELLO: I wanted  
11 to add my voice and indicate that I'm very  
12 happy to support Joe Scalero for this  
13 position. He is currently serving as the  
14 clerk administrator for the Village of  
15 Mineola, which he's done for many years.

16 Many of us up here know him from  
17 a while ago as a deputy county attorney.  
18 The Village of Mineola also has a major taxi  
19 issue, so he has a good deal of familiarity  
20 with the issue.

21 But I've always known Joe to be a  
22 bright, capable, level headed guy and I  
23 think he's going to do a great job with  
24 Mayor Murray on this commission.

25 CHAIRWOMAN GONSALVES: Any other

1 Full Legislature/8-3-15

2 comments or questions?

3 (No verbal response.)

4 Is there any public comment?

5 (No verbal response.)

6 There being none, all those in  
7 favor of the appointment of Joseph R.  
8 Scalero to the Taxi and Limousine Board  
9 signify by saying aye.

10 (Aye.)

11 Any opposed?

12 (No verbal response.)

13 The item passes unanimously.

14 Now we move away from the  
15 existing calendar and move to emergency  
16 items but, before we do, Mr. Muller, we need  
17 to call the emergencies.

18 CLERK MULLER: I know that we  
19 gave the legislature, we put it on the  
20 agenda for emergency. Do you want to just  
21 establish the emergencies and then you'll do  
22 them one at a time?

23 CHAIRWOMAN GONSALVES: That's  
24 right. Just establish the emergencies.

25 CLERK MULLER: Great. We have

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2 several emergencies submitted by the County  
3 Executive. Clerk Item 308-15, a resolution  
4 authorizing the County Attorney to  
5 compromise and settle the claim of  
6 Plaintiff, Melissa Stamile as set forth in  
7 the action entitled Stamile et al versus  
8 County of Nassau, Mark Barber, C.O. Keith  
9 Ravizee and Sheriff Michael Sposato, Docket  
10 No. 10-CV-2632, United States District  
11 Court, Eastern District of New York,  
12 pursuant to the County Law, County  
13 Government Law of Nassau County and the  
14 Nassau County Administrative Code.

15 Clerk Item 309-15, a resolution  
16 authorizing the County Attorney to  
17 compromise and settle the claim of  
18 Plaintiff, Shannon Paiz, as set forth in the  
19 action entitled Stamile et al versus County  
20 of Nassau, Mark Barber, C.O. Keith Ravizee  
21 and Sheriff Michael Sposato, Docket No.  
22 10-CV-2632, United States District Court,  
23 Eastern District of New York, pursuant to  
24 the County Law, County Government Law of  
25 Nassau County and the Nassau County

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2 Administrative Code.

3 Clerk Item 310-15, a resolution  
4 authorizing the County Attorney to  
5 compromise and settle the claim of  
6 Plaintiff, Kendra Hinds as set forth in the  
7 action entitled Stamile et al versus County  
8 of Nassau, Mark Barber, C.O. Keith Ravizee  
9 and Sheriff Michael Sposato, Docket No.  
10 10-CV-2632, United States District Court,  
11 Eastern District of New York, pursuant to  
12 the County Law, County Government Law of  
13 Nassau County and the Nassau County  
14 Administrative Code.

15 Clerk Item 315-15, a resolution  
16 approving a supplemental agreement #1 for  
17 federal aid project administered by the New  
18 York State Department of Transportation and  
19 authorizing the County of Nassau to  
20 participate in the non-federal share of the  
21 cost of construction and the cost of  
22 construction supervision and inspection of  
23 the project and authorizing the County  
24 Executive of the County of Nassau to execute  
25 an agreement on behalf of the county with

1                   Full Legislature/8-3-15  
2   the New York State Department of  
3   Transportation for the performance of such  
4   work for the project and for the  
5   participation by the county in the  
6   non-federal share of the cost of the project  
7   identified as PIN 0760.37 Old Country Road  
8   signal Phase II in Nassau County New York.

9                   316-15, a clerk Item which is a  
10   request by the County Executive for an  
11   emergency resolution. A resolution  
12   approving a federal aid project administered  
13   by the New York State Department of  
14   Transportation and authorizing the County of  
15   Nassau to participate in the non-federal  
16   share of the cost of construction and the  
17   cost of construction supervision and  
18   inspection of the project and authorizing  
19   the County Executive of the County of Nassau  
20   to execute an agreement on behalf of the  
21   county with the New York State Department of  
22   Transportation for the performance of such  
23   work for the project and for the  
24   participation by the county in the  
25   non-federal share of the cost of the project

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2 identified as PIN 0760.51 to provide staff  
3 for the county's traffic management center  
4 in Westbury, New York.

5 317-15, a request from the County  
6 Executive to declare an emergency for a  
7 resolution approving a federal aid project  
8 administered by the New York State  
9 Department of Transportation and authorizing  
10 the County of Nassau to participate in the  
11 non-federal share of the cost of  
12 construction and the cost of construction  
13 supervision and inspection of the project  
14 and authorizing the County Executive of the  
15 County of Nassau to execute an agreement on  
16 behalf of the county with the New York State  
17 Department of Transportation for the  
18 performance of such work for the project and  
19 for the participation by the county in the  
20 non-federal share of the cost of the project  
21 identified as PIN 0760.81 for the operation  
22 of the County's Traffic Management Center in  
23 Westbury, Nassau County, New York.

24 318-15, is a legislative  
25 emergency, which we have the signature of

1 Full Legislature/8-3-15  
2 all 19 legislators that will allow us to  
3 have a vote on establishing the emergency, a  
4 resolution authorizing the County Executive  
5 to execute an intermunicipal agreement with  
6 the City of Long Beach in relation to a  
7 project to procure and install the  
8 shotspotter gun-shot detection system in the  
9 City of Long Beach.

10 And the final request from the  
11 County Executive for an emergency is Clerk  
12 Item 319-15, an ordinance extending a  
13 voluntary separation incentive to certain  
14 officers and employees represented by the  
15 CSEA.

16 CHAIRWOMAN GONSALVES: Motion to  
17 establish the emergencies, please.

18 LEGISLATOR DUNNE: So moved.

19 LEGISLATOR FORD: Second.

20 CHAIRWOMAN GONSALVES: Moved by  
21 Legislator Dunne, seconded by Legislator  
22 Ford. All those in favor of establishing  
23 the emergencies signify by saying aye.

24 (Aye.)

25 Any opposed?



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2 (No verbal response.)

3 The emergencies have now been  
4 established. Since Clerk Muller read the  
5 emergencies so well, I'm going to ask that  
6 we waive the reading for each of the items.  
7 I will call the item separately, but all  
8 those in favor of waiving the reading, I  
9 should say motion to waive the reading.

10 LEGISLATOR DUNNE: So moved.

11 LEGISLATOR NICOLELLO: Second.

12 CHAIRWOMAN GONSALVES: Moved by  
13 Legislator Dunne, seconded by Legislator  
14 Nicolello. All those in favor of waiving  
15 the reading signify by saying aye.

16 (Aye.)

17 Any opposed?

18 The reading is now waived.

19 The first item is 308 of 15. A  
20 motion on that item.

21 Motion, please.

22 LEGISLATOR NICOLELLO: So moved.

23 LEGISLATOR FORD: Second.

24 CHAIRWOMAN GONSALVES: Moved by  
25 Legislator Nicolello, seconded by Legislator

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2 Ford. Any questions or comments regarding  
3 308?

4 (No verbal response.)

5 Is there any public comment?

6 (No verbal response.)

7 There being none, all those in  
8 favor of 308 signify by saying aye.

9 (Aye.)

10 Any opposed?

11 (No verbal response.)

12 The item passes unanimously.

13 309 and 310 are basically the  
14 same situation as 308. I'm going to ask for  
15 a motion for 309 and 310.

16 LEGISLATOR KOPEL: So moved.

17 LEGISLATOR WALKER: Second.

18 CHAIRWOMAN GONSALVES: Moved by  
19 Legislator Kopel, seconded by Legislator  
20 Walker. Any questions or comments regarding  
21 these items?

22 (No verbal response.)

23 Is there any public comment?

24 (No verbal response.)

25 There being none, all those in

1 Full Legislature/8-3-15  
2 favor signify by saying aye.  
3 (Aye.)  
4 Any opposed?  
5 (No verbal response.)  
6 The items pass unanimously.  
7 I'm going to block the next three  
8 items, 315, 316 and 317.  
9 Motion, please.  
10 LEGISLATOR KOPEL: So moved.  
11 LEGISLATOR WALKER: Second.  
12 CHAIRWOMAN GONSALVES: Moved by  
13 Legislator Kopel, seconded by Legislator  
14 Walker. Are there any questions or comments  
15 regarding 315, 316, 317?  
16 (No verbal response.)  
17 Is there any public comment?  
18 (No verbal response.)  
19 There being none, all those in  
20 favor signify by saying aye.  
21 (Aye.)  
22 Any opposed?  
23 (No verbal response.)  
24 The items pass unanimously.  
25 Now for Item 318 and I'm going to

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2 ask that Legislator Ford make the motion.

3 LEGISLATOR FORD: So moved.

4 LEGISLATOR RHOADS: Second.

5 CHAIRWOMAN GONSALVES: Moved by

6 Legislator Walker, seconded by Legislator

7 Rhoads. Any questions regarding 318?

8 LEGISLATOR FORD: Can I say

9 something?

10 CHAIRWOMAN GONSALVES: You

11 certainly may.

12 LEGISLATOR FORD: I just want to

13 thank everybody in the county for letting

14 this move so quickly through all the various

15 departments. This was something that the

16 city passed, something that we have been

17 working on, and even though they missed the

18 one deadline that we needed them to make so

19 that we could pass it for today, I have to

20 say that I guess my biggest thanks goes to

21 Connie Petrucci who actually took this and

22 followed this through.

23 She said she was going to promise

24 me a miracle and today we have that miracle

25 in saying the time frame, really, Connie,

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2 thank you very much. This is going to mean  
3 a lot to the residents in Long Beach and  
4 especially our residents who live up in the  
5 North Park and Channel Park Homes. They  
6 have seen an increase in gun violence and  
7 this is going to help turn that tide and  
8 bring back security to that area and allow  
9 the residents up in that area not to have to  
10 live in fear night after night.

11 I thank you very much and I also  
12 thank the legislature for joining me in  
13 establishing this emergency and hopefully  
14 passing it. Thank you.

15 CHAIRWOMAN GONSALVES: Any  
16 other comments?

17 (No verbal response.)

18 Is there any public comment?

19 (No verbal response.)

20 There being none, all those in  
21 favor of Item 318 signify by saying aye.

22 (Aye.)

23 Any opposed?

24 (No verbal response.)

25 The item passes unanimously.

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2 We have one more item which is  
3 Item 319. Motion, please.

4 LEGISLATOR WALKER: So moved.

5 LEGISLATOR SCHAEFER: Second.

6 CHAIRWOMAN GONSALVES: Moved by  
7 Legislator Walker, seconded by Legislator  
8 Schaefer. Any questions or comments  
9 regarding the extension of the voluntary  
10 separation incentive program?

11 (No verbal response.)

12 Is there any public comment?

13 (No verbal response.)

14 There being none, all those in  
15 favor of Item 319 signify by saying aye.

16 (Aye.)

17 Any opposed?

18 (No verbal response.)

19 The item passes unanimously.

20 That ends the emergencies and we  
21 can move on to the rest of the calendar.

22 First of all, I would like to  
23 thank everyone for their cooperation today  
24 in establishing the emergencies and  
25 certainly in approving the emergencies.

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2 There are two other items that  
3 are not part of the consent calendar and one  
4 is the first order of business which is  
5 Ordinance Number 88. I need a motion first  
6 to put this on. I was just advised I can  
7 call the item as it reads: An ordinance  
8 authorizing the County Executive to execute  
9 an amendment to the certain lease dated as  
10 of February 2nd, 1990 between Nassau County  
11 District Energy Corp. now known as Nassau  
12 Energy L.L.C. as tenant of certain premises  
13 described as Section 44, Block F, PO Lot  
14 317C on the land and tax map of Nassau  
15 County located at Charles Lindbergh  
16 Boulevard, Uniondale, New York, all as in  
17 the lease more particularly described and  
18 authorizing the County Executive to execute  
19 all pertinent documents in connection  
20 therewith to consummate the lease amendment.

21 Motion, please.

22 LEGISLATOR DUNNE: So moved.

23 LEGISLATOR WALKER: Second.

24 CHAIRWOMAN GONSALVES: Moved by  
25 Legislator Dunne, seconded by Legislator

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2 Walker. Any questions or comments regarding  
3 that?

4 LEGISLATOR ABRAHAMS: Norma?

5 CHAIRWOMAN GONSALVES: Before you  
6 do that, I need to make an amendment in the  
7 nature of a substitution.

8 LEGISLATOR NICOLELLO: So moved.

9 LEGISLATOR MUSCARELLA: Second.

10 CHAIRWOMAN GONSALVES: Moved by  
11 Legislator Nicolello, seconded by Legislator  
12 Muscarella. The amendment is simply a  
13 correction to the property and lease  
14 description. Now, all those in favor of the  
15 amendment signify by saying aye.

16 (Aye.)

17 Any opposed?

18 (No verbal response.)

19 Now, for the item as amended,  
20 Kevan Abrahams.

21 LEGISLATOR ABRAHAMS: No. I just  
22 wanted to make sure. There was a very  
23 extensive debate and discussion in the  
24 committees and I just want to make sure the  
25 record reflects all the questions from all



1                   Full Legislature/8-3-15  
2   the concerns from the committees  
3   incorporated into the Full Legislative  
4   calendar.

5                   (Whereupon, the following are the  
6   minutes of the Planning Committee pertaining  
7   to Clerk Item 291-15.)

8           CHAIRWOMAN SCHAEFER:   The final item  
9   before this committee is Clerk Item Number  
10   291-15, which is an ordinance authorizing  
11   the County Executive to execute an amendment  
12   to the certain lease dated as of February 2,  
13   1990, between Nassau District Energy Corp.,  
14   now known as Nassau Energy, LLC., as tenant,  
15   of certain premises described as Section 44,  
16   Block F, P/O Lot 317C on the land and tax  
17   map of Nassau County located at Charles A.  
18   Lindbergh Boulevard, Uniondale, New York,  
19   all as in the lease more particularly  
20   described, and authorizing the County  
21   Executive to execute all pertinent documents  
22   in connection therewith to consummate the  
23   lease amendment.

24           Can I have a motion?

25           LEGISLATOR DUNNE:       So moved.

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2 LEGISLATOR RHOADS: Second.

3 CHAIRWOMAN SCHAEFER: Moved by  
4 Legislator Dunne, seconded by Legislator  
5 Rhoads.

6 Are you here to speak on this item?

7 MR. MEYERS: Yes.

8 CHAIRWOMAN SCHAEFER: Okay.

9 MR. MEYERS: Josh Meyers, Pannone  
10 Lopes Devereaux & West, 81 Main Street,  
11 White Plains, New York 10601.

12 So, this is an amendment to the  
13 existing lease with Nassau Energy LLC. The  
14 County is nearing the end of the 25 year  
15 lease with Nassau Energy LLC to provide the  
16 thermal energy to a number of customers  
17 within the HUB. That thermal energy is hot  
18 and chilled water and steam, as well.

19 Nassau Energy LLC, 25 years ago,  
20 utilized private money to construction a  
21 co-generation facility utilizing natural gas  
22 to generate electricity, and this is the  
23 waste heat that is thrown off of this  
24 facility powers the boilers and chillers to  
25 send the thermal energy to these nine

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2 different customers within the HUB.

3 Right now, the current lease expires in  
4 2016. We're here today on the amendment to  
5 extend for a one year or a two year period,  
6 at the discretion of the county. Also,  
7 there is a credit to the county for each  
8 year of that extension of 950,000, plus an  
9 additional credit based on a formula that's  
10 included in the amendment, for up to \$1.75  
11 million in the first year and \$1.25 million  
12 in the second year, for a total potential  
13 credit to the county of \$4.9 million over  
14 the two year term.

15 The amendment itself is beneficial to  
16 the county because it's not clear what the  
17 electric rates will be over the next two  
18 years. We're going to go out to an RFP on  
19 this project for a lease, to continue a  
20 long-term lease of this facility or have  
21 someone, a new proposer come in and  
22 construct a new co-generation facility to  
23 give better rates for the county and its  
24 customers.

25 Just to go through it a little bit for

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2 the background. This facility is actually  
3 on the other side of Charles Lindbergh  
4 Boulevard, from the Coliseum. As I said, it  
5 was built approximately 25 years ago. It  
6 services nine different customers in the  
7 HUB. So it's the Nassau Community College,  
8 the Coliseum, the Cradle of Aviation Museum,  
9 the Marriott Hotel, the Children's Museum,  
10 NUMC, the Correctional Facility, the Aquatic  
11 Center, and the Eisenhower Park technical  
12 services facility. Some of those receive  
13 hot water and chilled water and the  
14 remaining customers received steam.

15 As I indicated, what we're going to do  
16 is go out for an RFP probably in the next  
17 three weeks to a month to determine if we  
18 can get a new proposer in there to operate  
19 the facility on a long-term basis.

20 CHAIRWOMAN SCHAEFER: Thank you.

21 MR. MEYERS: Sure.

22 CHAIRWOMAN SCHAEFER: Does anyone have  
23 any questions? Legislator Curran.

24 LEGISLATOR CURRAN: Hi.

25 MR. MEYERS: Hi. How are you?

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2 LEGISLATOR CURRAN: I'm fine, thanks.

3 So, this is something with many moving  
4 parts, and I have a few questions.

5 How was the \$950,000 for the credit,  
6 how was that determined?

7 MR. MEYERS: That was through a  
8 negotiated basis with the current operator.  
9 It's SUEZ, really, Nassau Energy. It was  
10 just based on -- it's on mutually agreeable  
11 terms. They could have said that it was  
12 nothing, and we could not have moved forward  
13 with any type of extension. It was over an  
14 extended negotiated period, to have the 950  
15 plus this formula-based credit.

16 LEGISLATOR CURRAN: And where will  
17 this 950,000 go?

18 MR. MEYERS: That will be on credit  
19 with the company, and then the county can  
20 apply whatever monthly invoices that come to  
21 the county, be applied against that. So  
22 right now you have the actual cost to supply  
23 this steam heat as well as the chilled and  
24 hot water to those county customers, plus  
25 right now the county also pays real property

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2 taxes on that facility, and those portions  
3 -- to the school districts and to the towns  
4 and villages, to the town and the villages  
5 there, and they can apply that as well.

6 LEGISLATOR CURRAN: Okay. Also, you  
7 talk about the nine different customers -  
8 the College, the jail, the hotel, the  
9 museums, and Coliseum. What happens with  
10 the agreement with these other entities?  
11 Are those done too at the same time? Are  
12 they all on the same timeline? Will they  
13 all be covered by the same RFP?

14 MR. MEYERS: Yes. That's correct.  
15 Under this existing agreement and existing  
16 lease that the county has. Certain of those  
17 the county is responsible for and -- so the  
18 Marriott the county does not cover. On the  
19 Coliseum, the county currently covers those  
20 costs, but with the new agreement, when  
21 Forest City Ratner takes over on August 1,  
22 next Saturday, the county will shed  
23 themselves of those costs, which is about a  
24 million to a million and a half dollars a  
25 year.

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2 LEGISLATOR CURRAN: Okay. All right.

3 There is -- let's see. Is there -- do  
4 we have an estimate of the current sale  
5 price of this co-generation plant?

6 MR. MEYERS: The actual asset value?

7 LEGISLATOR CURRAN: Yeah.

8 MR. MEYERS: The proposed book value,  
9 as they call it, is approximately \$27  
10 million. Pursuant to the lease, the entity,  
11 Nassau Energy, is able to, through generally  
12 accepted accounting principles, through  
13 GAAP, they're allowed to value, under the  
14 lease, the current book value. It's based  
15 on the way that they depreciated the asset.  
16 If the county chose to accept -- chose to  
17 keep that facility at the end of their term,  
18 if we didn't extend it in June of 2016 or if  
19 this amendment went through in 2018, if the  
20 county chose to keep that facility, they  
21 would end up paying that book value. That  
22 book value has been set by SUEZ, and we're  
23 still in the process of negotiating that, at  
24 approximately \$27 million.

25 LEGISLATOR CURRAN: Okay. There is a

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2 concern that this, you know, was a 25 year  
3 lease and we're asking for an extension a  
4 little bit at the last minute. I'm  
5 concerned that maybe we can't necessarily be  
6 negotiating for the best deal for the  
7 county.

8 MR. MEYERS: Right. It's been, as I  
9 indicated, we've been negotiating with them.  
10 They could have come back and said at any  
11 point, and this has been over the last few  
12 months, last probably six to eight months.  
13 They could have come back and said because  
14 it's a mutually agreeable terms that it's  
15 zero that they would give us back to us. So  
16 the county, through the committee that is in  
17 place to review these items, indicated that  
18 this was probably the best deal we could get  
19 for the county. And we feel based on the  
20 way that the electricity rates are going  
21 that this is an excellent deal for the  
22 county. When we go back out for an RFP the  
23 savings may be more or less than this. We  
24 have Parsons Brinkerhoff (phonetic)  
25 assisting us as the engineering firm, and



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2 they felt that based on the way the  
3 electricity market was moving that this is  
4 the best deal for the county.

5 LEGISLATOR CURRAN: So you say this is  
6 a good deal. Is there something that we can  
7 reference that we're getting energy at a  
8 good price? Is there an outside,  
9 independent way that we can compare that?

10 MR. MEYERS: We won't be able to see  
11 that until we receive the proposals in  
12 response to the RFP.

13 LEGISLATOR CURRAN: Okay.

14 MR. MEYERS: As I indicated, it's up  
15 to a \$4.9 million savings, or an average of  
16 \$2.45 million each year for two years over  
17 what the county is currently receiving.

18 LEGISLATOR CURRAN: I see.

19 MR. MEYERS: We know that that's a  
20 good deal on that basis.

21 LEGISLATOR CURRAN: Okay. I have one  
22 more question.

23 You said the RFP - one of my questions  
24 you actually answered. You said the RFP is  
25 going to go out in three weeks to a month.

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2 MR. MEYERS: Yes.

3 LEGISLATOR CURRAN: Okay. Thank you.

4 MR. MEYERS: Thank you very much.

5 CHAIRWOMAN SCHAEFER: Legislator Ford,  
6 you have a question?

7 LEGISLATOR FORD: What would happen if  
8 they decided not to extend the lease? What  
9 would happen in 2016 if we didn't extend it?

10 MR. MEYERS: In 2016, we would be  
11 conducting the procurement and the existing  
12 -- the proposers that would come in would  
13 either take over that facility or construct  
14 a new facility on an adjacent site and be  
15 able to -- you could actually run the  
16 existing facility with the county's boilers  
17 and chillers that they currently own. This  
18 is just a more efficient, effective process.  
19 There are boilers and chillers on site right  
20 now; the county could utilize those, those  
21 are the one that were county owned and the  
22 county had built prior to this co-generation  
23 facility being constructed. The county  
24 could just go in and operate those. This is  
25 just a more efficient and effective basis

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2 through the co-generation.

3 LEGISLATOR FORD: By continuing with  
4 the person, the energy supplier right now.

5 Like, would we be able to take over and  
6 operate this by 2016 on our own if we did  
7 not have, if we didn't have anybody to take  
8 the place of the company that we have.

9 MR. MEYERS: The County could. But we  
10 could easily, very quickly conduct a request  
11 for proposal process for just an operator,  
12 not to bring in a new co-generation  
13 facility.

14 LEGISLATOR FORD: Just operate it, you  
15 know, for a certain amount of time with the  
16 existing technology that we're using right  
17 now.

18 MR. MEYERS: That's correct. The  
19 boilers and chillers onsite have been  
20 reviewed by Parsons Brinkerhoff and we have,  
21 through a request for expression of interest  
22 process, spoken to the nine largest players  
23 in this industry throughout the country that  
24 are interested in this facility and they  
25 indicated that they have reviewed this

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2   facility and all the technical data  
3   associated with that and they could easily  
4   provide the services necessary with the  
5   existing boilers and chillers.

6           LEGISLATOR FORD:    Okay.   So then by  
7   extending it for two years, we could then do  
8   an RFP to see if there is another vendor who  
9   can come and do co-gen energy, correct?

10          MR. MEYERS:    Yes.   There is  
11   significant interest from the players in the  
12   industry on that that think that they could  
13   come in and operate this and provide  
14   potentially better rates.

15          LEGISLATOR FORD:    So what they could  
16   do is they could keep then the co-generation  
17   going, in case -- more than likely they're  
18   probably going to have to build a new power  
19   plant, so to speak, on the adjacent site,  
20   correct?

21          MR. MEYERS:    Potentially.   That's  
22   correct.   And the two years is required in  
23   order to appropriately size the  
24   co-generation facility as well as get  
25   permits.   They're burning natural gas onsite

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2 there. You need permits from the state DEP,  
3 so that all takes time in order to bring in  
4 a facility like that.

5 LEGISLATOR FORD: I know that  
6 Legislator Curran, she brought up, to make  
7 sure that we are getting the best value  
8 right now, that we are getting, you know,  
9 proper reimbursement from this company.

10 MR. MEYERS: Like I said, so, when you  
11 take a look at it and you see the  
12 significant savings based on what the county  
13 has been paying since that time, it's a  
14 significant savings.

15 LEGISLATOR FORD: Thank you.

16 CHAIRWOMAN SCHAEFER: Legislator  
17 Jacobs.

18 LEGISLATOR JACOBS: Most of my  
19 questions have been covered already, but I  
20 wanted to ask you something.

21 I'm assuming, and I hope correctly so,  
22 that after 25 years the reason for a new RFP  
23 is to make sure that we're getting the right  
24 amount, that we're getting the right  
25 amount.

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2 MR. MEYERS: That you're getting the  
3 right amount and you're using the highest  
4 and best technology onsite. There are a lot  
5 of things that have changed. You can look  
6 at micro grids that facility.

7 Right now all of the electricity that's  
8 being generated onsite is being sold to  
9 LIPA. So that could potentially be brought  
10 onsite. We'll be looking at the police  
11 training facility as a new facility that's  
12 right down the road from there. But it is  
13 to make sure the county's getting the best  
14 rates for this service and to bring in the  
15 --

16 LEGISLATOR JACOBS: I just have a  
17 couple of very quick ones for you.

18 Are you imagining that this particular  
19 company will be involved in that new RFP?

20 MR. MEYERS: Yes. They have expressed  
21 their intention to propose on this process.

22 LEGISLATOR JACOBS: Okay. Is there  
23 any way you have of knowing whether they  
24 have done updates through the years?

25 MR. MEYERS: Yes. Actually, there was

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2 a review conducted and they were hired by  
3 the county, I would say, within the last  
4 eight months or so. DCO Energy actually  
5 went onsite, reviewed all the maintenance  
6 records, reviewed the facility, and prepared  
7 a report associated with that to say that  
8 they kept the facility up, running, and  
9 maintained in accordance with good industry  
10 practice.

11 LEGISLATOR JACOBS: That's good. My  
12 last one was this. You said about three to  
13 four weeks before the RFP goes out --

14 MR. MEYERS: Yes.

15 LEGISLATOR JACOBS: What, in your  
16 mind, when would you say -- number one, when  
17 will they actually go out and when do we  
18 expect them to come back? How many days do  
19 they have once they go out?

20 MR. MEYERS: It will probably remained  
21 on the street for approximately a four month  
22 period in order to give them time to go  
23 onsite and review as well as review the  
24 technical data associated with that, and  
25 then probably -- there will be a review of

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2 those proposals and then a negotiation  
3 period following that.

4 LEGISLATOR JACOBS: Why isn't this  
5 particular piece of property tax exempt?  
6 I'm not saying that I'm sad that it's not.  
7 But why isn't it tax exempt? Why are we  
8 paying taxes on it?

9 MR. MEYERS: Right. So there was  
10 litigation on it. It was unclear at the  
11 time in the existing lease, when it was  
12 entered into with who was Tri-Gen Energy.  
13 There was litigation on that. The county --  
14 it was unclear in that lease.

15 At the time, the county, through a  
16 settlement process, ended up indicating that  
17 they were going to pay the first \$100,000 of  
18 any real property taxes on the site, that's  
19 when the real property taxes were \$100,000.  
20 As of recently, the taxes on the site were  
21 \$2.4 million, which the county was required  
22 to pick up the tab on that. They reassessed  
23 it within the last year or two; it was \$1.6  
24 million. The county, through that  
25 litigation, through the settlement process



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2 had agreed to make those payments.

3 LEGISLATOR JACOBS: It's a little  
4 strange, right? Because it's our property.

5 MR. MEYERS: It's very strange. What  
6 will happen in this next one, which is, like  
7 I said, we'll be shedding the costs for the  
8 Coliseum, that's another benefit of the  
9 Coliseum project, is that Forest City Ratner  
10 picks up all those costs. On this deal, the  
11 next operator and next lessee of this  
12 property will go in and they'll be required  
13 to make those real property tax payments.  
14 So the next operator coming in will make  
15 those. The only thing I can say is they're  
16 going to pass that along through the rates  
17 to the customers.

18 LEGISLATOR JACOBS: I just have to ask  
19 you one question that's bothering me. I've  
20 been here a long time. I just don't quite  
21 understand when it's county property it's  
22 exempt. No matter what the lease says --  
23 how do you have those two meet in a logical  
24 way? It's exempt property but because the  
25 lease didn't particularly say it was exempt

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2 we're paying taxes on it all this time.

3 MR. MEYERS: You're not paying them  
4 obviously to the county. You're paying them  
5 to those localities, to the town and to the  
6 school district.

7 LEGISLATOR JACOBS: To the towns and  
8 school districts, okay. So it's almost like  
9 a pilot, in a way. Similar to a pilot.

10 MR. MEYERS: Yes. And it was through  
11 the settlement. Yes.

12 LEGISLATOR JACOBS: Okay. Thank you  
13 very much.

14 CHAIRWOMAN SCHAEFER: I have one quick  
15 question. Maybe you answered this before.  
16 What happens in two years? You said we're  
17 extending it for two years. The current  
18 provider will go into an extended lease, or?

19 MR. MEYERS: So then we're conducting  
20 the RFP process. The procurement process is  
21 beginning in the next three to four weeks,  
22 and that would bring in a new operator and a  
23 new lessor, potentially, to construct a new  
24 facility onsite or take over the existing  
25 equipment and operate that facility. So at

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2 the end of that two years, either Suez will  
3 potentially propose on that. So it will  
4 either go Suez or a new proposer at that  
5 time, which we will determine probably in  
6 the next nine to 12 months, who will be  
7 taking it over at that time.

8 CHAIRWOMAN SCHAEFER: Okay. Thank  
9 you.

10 MR. MEYERS: Sure.

11 CHAIRWOMAN SCHAEFER: Legislator  
12 Rhoads.

13 LEGISLATOR RHOADS: Thank you, Madam  
14 Chairwoman.

15 Mr. Meyers, just so I understand, we  
16 keep talking about it as being a two year  
17 extension. Is this actually a one year  
18 extension with a one year county option?

19 MR. MEYERS: Right. The county has  
20 until October of this year to make the  
21 determination, whether or not to make it a  
22 one or two year extension.

23 What happens is - I started to get into  
24 the discussion with Legislator Curran - is  
25 that if the county wanted to take over the

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2 facility - what happens is this is  
3 effectively one of the first public-private  
4 partnerships that the county entered into 25  
5 years ago. So, Suez actually came in and  
6 fronted the money to construct this  
7 facility. The state comptroller came in and  
8 said if the county wants to step back in and  
9 take that over, the county would need to pay  
10 book value at the end of the term. The  
11 county also has the option to tell Suez to  
12 pull the equipment, and we'll just have  
13 someone come in and construct a new  
14 co-generation facility in there. How that  
15 relates to the one or two year extension is  
16 we also have to pay book value on the 3.5  
17 mile steam pipe that goes from here to NUMC.  
18 Through negotiations, we've indicated, with  
19 Suez is that if we extend it for one year,  
20 we still have to pay the book value for the  
21 steam pipe. If we go for two years, we pay  
22 them \$1 for the steam pipe. The book value  
23 on the steam pipe is approximately \$3.5  
24 million right now. So the county would get  
25 the added benefit if they do that.

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2 We would probably make that  
3 determination prior to issuing the RFP. So  
4 we would probably make it within the next  
5 month as to whether or not we're going to go  
6 for one or two years. With this extension  
7 we wouldn't do one year and then do another  
8 year. We'll either tell them with the RFP  
9 is issued because you need that certainty in  
10 the RFP or else the proposers are all over  
11 the place when they come in with their  
12 proposals. Here, they want that certainty.  
13 They want to know whether or not they're  
14 going to need to -- excuse me -- purchase  
15 that equipment for book value; that would  
16 cost the proposer \$27 million to take over  
17 the existing assets, as well as the steam  
18 pipe. So we want that certainty, how long  
19 and how long they have to construct their  
20 new facility and get their permits. Prior  
21 to the issuance of the RFP, the county would  
22 make the determination as to whether it's  
23 one or two years.

24 LEGISLATOR RHOADS: So the book value  
25 has been established at \$27 million flat or

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2 is that \$27 million less depreciation?

3 MR. MEYERS: That's effectively with  
4 their depreciation.

5 LEGISLATOR RHOADS: Okay. And I  
6 believe you indicated that there were  
7 boilers and chillers that were there before  
8 that we could theoretically operate if, in  
9 fact, the plant closed; is that accurate?

10 MR. MEYERS: Yes. If anything  
11 happened -- the county originally had the  
12 boilers and chillers onsite, and then,  
13 subsequent to that point, the county went  
14 out for procurement to have a private entity  
15 come in and finance the construction of this  
16 cogeneration facility, which throws off this  
17 waste heat as a result of the electricity  
18 process, generating electricity and this  
19 throws off this waste heat, which then you  
20 generate chilled water and hot water as a  
21 result of. You could also really bring in  
22 flatbed boilers and chillers as well on a  
23 temporary basis to supply any needs that you  
24 would.

25 Like I said, through Parsons and

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2 through these major companies, which are the  
3 biggest in the U.S., that are interested in  
4 these types of facilities, they indicated  
5 that the existing equipment onsite, which  
6 are currently maintained and kept on standby  
7 at all times in case the co-gen facility  
8 went down, they have been maintained by  
9 Suez, are adequate and appropriate to  
10 provide the services necessary.

11 LEGISLATOR RHOADS: What's the effect  
12 -- just really -- it's probably not relevant  
13 to really the proposal, but for my own  
14 edification. What's the useful life on the  
15 plant and its equipment as it is? It's 25  
16 years old at this point.

17 MR. MEYERS: Right. Everybody says  
18 this. It's General Electric Frame 6, which  
19 they said is 40 or 50 years if you continue  
20 to maintain it. It's a significant  
21 generator of electricity. They just say  
22 it's the workhorse of the industry and they  
23 can use it. They could develop that. Most  
24 of these proposers, many of the proposers  
25 have indicated they may do that, they may

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2 take it over on a temporary basis, a  
3 long-term basis, or they may bring in their  
4 own cogeneration, a new, effectively, Frame  
5 6 cogeneration plant and right size it for  
6 the appropriate needs of the hub.

7 LEGISLATOR RHOADS: Okay. As you may  
8 have heard, by the way, development of the  
9 hub has been a topic of conversation around  
10 here.

11 MR. MEYERS: I wasn't aware of that.

12 LEGISLATOR RHOADS: Does the existing  
13 plant have the capacity to be able to handle  
14 the additional infrastructure if, in fact,  
15 it winds up getting built?

16 MR. MEYER: Yes. I would say on the  
17 chilled it does not. Really, they're at  
18 capacity with the chilled, especially in  
19 connection with the Coliseum. They would  
20 just need to bring on additional chillers in  
21 order to provide that. But they could do  
22 that. It would have to be in addition to  
23 this. But with the chilled water, it is at  
24 capacity. The chilled water isn't domestic,  
25 coming out of the tap, that's for air



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2     conditioning purposes. So at the Coliseum,  
3     especially with the increased uses, you  
4     would have to bring in that supplemental  
5     ability to do that.

6           LEGISLATOR RHOADS:     So, presumably,  
7     the new plant, if, in fact, we are putting  
8     out an RFP theoretically for the  
9     construction of a new plant, would include I  
10    guess capacity to be able to handle whatever  
11    else we're building there?

12          MR. MEYERS:     That's correct. And,  
13    like I said, the new ones, Frame 6 is  
14    essentially 1970's technology. They would  
15    easily, with more efficient cogeneration  
16    facilities that are being produced, provide  
17    the necessary capacity for the needs of the  
18    hub.

19          LEGISLATOR RHOADS:     And would the idea  
20    also be to keep the existing plant as a  
21    backup?

22          MR. RHOADS:     You probably couldn't  
23    keep that. One thing is, if the county  
24    indicated to Suez that they no longer wanted  
25    a cogeneration facility, Suez would probably

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2 pull that facility out of there, which they  
3 have the right to do and they most likely  
4 would, for a certain value. They would  
5 probably just keep the boilers and chillers  
6 and bring in this new facility.

7 LEGISLATOR RHOADS: Great. Thank you,  
8 Mr. Meyers. No other questions. Thank you.

9 CHAIRWOMAN SCHAEFER: Legislator  
10 Jacobs has another question.

11 LEGISLATOR JACOBS: I'm really sorry,  
12 but I do have another question. Let me ask  
13 you a question. If I heard you right, you  
14 said around the end of October that the  
15 county will be making a determination as to  
16 whether it's a one year or two year renewal.

17 MR. MEYERS: I actually said that we  
18 have until October. We would intend to do  
19 it prior to the issuance of the RFP.

20 LEGISLATOR JACOBS: You intend to do  
21 it prior to the issuance.

22 MR. MEYERS: Yes. So we have,  
23 pursuant to the amendment, until October to  
24 do it. We would do it within the next three  
25 to four weeks, prior to the issuance of the

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2 RFP. We want to tell the proposers exactly  
3 what the county wants to do; whether it be  
4 one or two years, because they will need to  
5 know that for their planning purposes.

6 LEGISLATOR JACOBS: Okay. So, in  
7 other words, their extension is not really  
8 based on what this RFP answers will be. The  
9 thing we're thinking is it's going out.  
10 They're going to be making a determination  
11 before the RFP is returned to us with the  
12 people that really want to be participating,  
13 but that would have nothing to do with this  
14 extension?

15 MR. MEYERS: Right. We want to tell  
16 the potential proposers exactly what we want  
17 to do with this facility, yes.

18 We've met with those proposers -- the  
19 are potential proposers -- there many of  
20 them through the request for expression of  
21 interest process. They would like, I would  
22 say, more time to be able to permit the  
23 facility and review all the data. Two years  
24 is not a lot of time in the industry in  
25 order to get one of these facilities

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2 constructed.

3 The proposers prefer specificity in the  
4 RFP process, and that's why we would tell  
5 them what we're interested in.

6 LEGISLATOR JACOBS: Let me ask you  
7 something. I know it was 25 years ago.  
8 I've only been here 20 years; first time I  
9 could say I wasn't here with something.

10 Can I ask you a question? What, in  
11 your mind - maybe you have no idea why they  
12 did it. What was the reasons for this kind  
13 of a facility to be built there rather than  
14 a normal electrical charge that people get  
15 when they're running things?

16 MR. MEYERS: Right. If you take a  
17 look at this technology, many of the  
18 buildings - it's usually combined heat and  
19 power is what you see in many commercial and  
20 residential buildings in Manhattan. You  
21 will see this type of -- you're generating  
22 the electricity. Plus, it's just waste  
23 heat, otherwise it just goes out the window  
24 and it goes nowhere. Here it's very  
25 efficient and effective because you're using

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2 that to generate hot water and it's very  
3 efficient and cost effective.

4 Here they actually - my understanding  
5 is they built it when they were going to  
6 make the Coliseum area the Kennedy Center or  
7 it was supposed to be a huge development  
8 with many commercial buildings as well as  
9 the Coliseum on site.

10 LEGISLATOR JACOBS: Boy, that sounds  
11 familiar.

12 MR. MEYERS: Right. Right. Exactly.  
13 So that never came to pass. They just  
14 converted it and they brought in all these  
15 additional customers to make it a cost  
16 effective and efficient process.

17 LEGISLATOR JACOBS: Thank you very  
18 much.

19 MR. MEYERS: Thank you.

20 CHAIRWOMAN SCHAEFER: Any other  
21 questions from the legislators? Legislator  
22 Curran.

23 LEGISLATOR CURRAN: About the  
24 correctional center, if I'm understanding it  
25 correctly, the jail has a deal with the

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2 hospital not directly with Suez. So would  
3 they have to negotiate their own thing with  
4 the hospital? How would that work? I just  
5 wanted to make sure that the correctional  
6 center is covered.

7 MR. MEYERS: Right. So everyone is  
8 subject to the agreement in the lease that  
9 the county has. What happens is there is a  
10 three and a half mile steam pipe, and that  
11 steam pipe goes all the way to NUMC, and  
12 they have their own boilers and chillers  
13 there, and then that steam is passed along  
14 -- it powers the chillers at NUMC, which  
15 then passes that along to the correctional  
16 facility. But they're all beholden to the  
17 rates and the deal that's worked -- that the  
18 county is working out under this lease.

19 LEGISLATOR CURRAN: And that will  
20 continue this RFP, all the entities will  
21 have the same --

22 MR. MEYERS: That's correct.

23 LEGISLATOR CURRAN: Genesis.

24 MR. MEYERS: Yes.

25 LEGISLATOR CURRAN: Okay.

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2 CHAIRWOMAN SCHAEFER: So then the  
3 correctional facility could potentially have  
4 better rates as well?

5 MR. MEYERS: That's correct.

6 CHAIRWOMAN SCHAEFER: And the  
7 hospital?

8 MR. MEYERS: Yes, that's correct.

9 CHAIRWOMAN SCHAEFER: Thank you.  
10 Any other questions?

11 (No verbal response.)

12 Any public comment?

13 MR. WALSH: This is Kevin Walsh. I  
14 just wanted to add one small correction.

15 On the actual ordinance for this item  
16 it listed as Section 44, Block F, Part of  
17 Lot 317C; that was actually accurate back in  
18 the '90's. Lot 317C is now known as Lot  
19 407. So I just wanted to make that  
20 technical correction.

21 CHAIRWOMAN SCHAEFER: Okay. We need  
22 you to submit an amendment before the end of  
23 the day on that.

24 MR. WALSH: Okay. That's fine.

25 CHAIRWOMAN SCHAEFER: Thank you.

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2 All those in favor of passing this item  
3 signify by saying aye.

4 (Aye.)

5 Any opposed?

6 (No verbal response.)

7 The item passes unanimously.

8 (Whereupon, the following are the  
9 continuation of the minutes of the Full  
10 Legislative Committee, 8-3-15.)

11 CHAIRWOMAN GONSALVES: Thank you  
12 very much. Any other comments?

13 (No verbal response.)

14 Is there any public comment?

15 (No verbal response.)

16 There being none, all those in  
17 favor of Item 1, Ordinance 88 as amended  
18 signify by saying aye.

19 (Aye.)

20 Any opposed?

21 (No verbal response.)

22 The item passes unanimously.

23 We have Item 34, the end of the  
24 calendar. Item 34, Resolution 156, a  
25 resolution authorizing the county attorney



1                   Full Legislature/8-3-15  
2   to compromise and settle two actions both  
3   entitled County of Nassau v. Alrose Allegria  
4   LLC, et al., Index Nos. 8209/14; 15-002018,  
5   Supreme Court, Nassau County, pursuant to  
6   the county law of the County Government Law  
7   of Nassau County and the Nassau County  
8   Administrative Code.

9                   A motion, please.

10                  LEGISLATOR FORD:   So moved.

11                  LEGISLATOR WALKER:   Second.

12                  CHAIRWOMAN GONSALVES:   Moved by  
13   Legislator Ford, seconded by Legislator  
14   Walker.   Any comments or questions regarding  
15   the item?   I believe Legislator Ford does  
16   have a comment.

17                  LEGISLATOR FORD:   Is there anyone  
18   here from the County Attorney's Office?

19                  MS. LOCURTO:   Good afternoon,  
20   legislator.

21                  LEGISLATOR FORD:   Good afternoon.  
22   Thank you very much.   I have to commend the  
23   work done on this bringing us to at least  
24   this point with the Allegria, having them  
25   pay which I believe is the hotel motel taxes

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2 that they owed the county, correct?

3 MS. LOCURTO: Correct.

4 LEGISLATOR FORD: I know that  
5 there's a lot of discussion in the city of  
6 Long Beach because we know that New York  
7 State did go in and the IRS took over some  
8 the rooms and they were looking to declare  
9 bankruptcy. It's our understanding that, or  
10 rumors were going around that they do owe \$6  
11 million in back taxes. I don't know if  
12 that's correct or not. What portion, if  
13 that's correct, do you know that they owe  
14 the county any other taxes other than the  
15 hotel motel tax?

16 MS. LOCURTO: As far as we know  
17 there is the outstanding hotel motel tax.  
18 There is the second half school tax for  
19 '14-'15 and general tax that is outstanding,  
20 but there is time -- it is possible for them  
21 to redeem it but those are the only  
22 outstanding taxes that we are aware of.

23 LEGISLATOR FORD: And what action  
24 will be taken, because, you know what, for  
25 me, I have residents that lost their homes

1 Full Legislature/8-3-15  
2 after Sandy. They had to pay mortgages.  
3 They still had to pay taxes on properties  
4 that they could not live in. None of them  
5 really got any basic relief, so to speak.  
6 They weren't forgiven, you know, not having  
7 to pay their taxes.

8 So, what recourse, are we going  
9 to make sure that we're not going to allow  
10 this property to be able to continue not  
11 paying their taxes?

12 MS. LOCURTO: Well, hotel motel  
13 tax is a tax that is required by the code to  
14 be paid. Part of the settle agreement and  
15 standing next to me is Deputy County  
16 Attorney Michael Barisi who was the one who  
17 worked on this litigation and worked on the  
18 stipulation of settlement. And part of the  
19 settlement agreement is that not only are  
20 they going to be paying the arrears, all the  
21 back taxes, on hotel motel, but the  
22 stipulation of settlement requires them to  
23 be current.

24 If at any time they are not  
25 current on a going forward basis, then we

1                   Full Legislature/8-3-15  
2     will be back in court before Judge McCormack  
3     who we initially brought this lawsuit in  
4     front of and they would be held accountable  
5     in that way.

6                   So, I think, yes, they are one of  
7     the entities that operates the hotel, has  
8     filed for bankruptcy protection, but that  
9     overall does not diminish in any way we feel  
10    this settlement or their obligation to  
11    continue to pay their tax.

12                  As in the past, the county was  
13    proactive and brought this lawsuit to ensure  
14    the payment of hotel motel taxes and, if  
15    necessary, we can do it again.

16                  LEGISLATOR FORD: I thank you  
17    very much. And, again, it was excellent  
18    work on behalf of all of you and especially,  
19    you, Michael, I thank you very much because  
20    it's very important to all of us to make  
21    sure that if people owe their taxes that  
22    they pay it because we have to make up the  
23    slack and I thank you.

24                  CHAIRWOMAN GONSALVES: Any other  
25    questions or comments?

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2 (No verbal response.)

3 Is there any public comment?

4 (No verbal response.)

5 All those in favor of Item 34,

6 Resolution 156 signify by saying aye.

7 (Aye.)

8 Any opposed?

9 (No verbal response.)

10 The item passes unanimously.

11 Now we have what is called the  
12 consent calendar. Now, these are items that  
13 went through committee and were voted on  
14 unanimously and we can now bring them before  
15 this body as a block.

16 Begin with Item 2, Ordinance 89;  
17 Item 3, Ordinance 90; Item 4, Ordinance 91;  
18 Item 5, Ordinance 92; Item 6, Ordinance 93;  
19 Item 7, Ordinance 94; Item 8, Ordinance 95;  
20 Item 9, Ordinance 96; Item 10, Ordinance 97;  
21 Item 11, Ordinance 98; Item 12, Ordinance  
22 99; Item 13, Ordinance 100; Item 14,  
23 Ordinance 101; Item 15, Ordinance 102; Item  
24 16, Ordinance 103; Item 17, Ordinance 104;  
25 Item 18, Resolution 140; Item 19, Resolution

1                   Full Legislature/8-3-15  
2    141; Item 20, Resolution 142; Item 21,  
3    Resolution 143; Item 22, Resolution 144;  
4    Item 23, Resolution 145; Item 24, Resolution  
5    146; Item 25, Resolution 147; Item 26,  
6    Resolution 148; Item 27, Resolution 149;  
7    Item 28, Resolution 150; Item 29, Resolution  
8    151; Item 30, Resolution 152; Item 31,  
9    Resolution 153; Item 32, Resolution 154;  
10   Item 33, Resolution 155.

11                   (Whereupon, please refer to the  
12   minutes of the Committee meetings of 7-27-15  
13   pertaining to the above items.)

14                   CHAIRWOMAN GONSALVES: Motion for  
15   those items, please.

16                   LEGISLATOR DUNNE: So moved.

17                   LEGISLATOR FORD: Second.

18                   CHAIRWOMAN GONSALVES: Moved by  
19   Legislator Dunne, seconded by Legislator  
20   Ford. Are there any questions or comments?

21                   (No verbal response.)

22                   Is there any public comment?

23                   (No verbal response.)

24                   There being none, all those in  
25   favor of the items just called signify by

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2 saying aye.

3 (Aye.)

4 Any opposed?

5 (No verbal response.)

6 The items pass unanimously.

7 As always, not yet, we have three  
8 speakers and I hope they are still here.

9 I'm glad that we were able to get through  
10 the calendar as quickly as we did. The  
11 first speaker is Judy Sanford Guise. Rules  
12 Committee will meet right after this. But  
13 we need five or ten minutes to gather our  
14 thoughts. Sorry, Judy, you had to wait, but  
15 we went fast.

16 MS. GUISE: I'm Judy Sanford  
17 Guise from North Valley Stream and I stayed  
18 because I'm a trustee of Family and  
19 Children's Association. You all heard  
20 earlier from our president and CEO, Dr.  
21 Jeffrey Reynolds.

22 But I had a couple of extra  
23 things in my own opinion that I wanted to  
24 add. But a couple of things were the fact  
25 that we heard that family ties program from

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2 Family & Children's Association is based in  
3 Hempstead. I just wanted to remind people  
4 that it's based in Hempstead but it's  
5 available to families in each of your  
6 districts.

7 Sometimes people misinterpret  
8 where a program is based as if it only  
9 serves that community. But it's important  
10 for you and hopefully this will all resolve  
11 itself positively for the children of Nassau  
12 County and then you will be able to have  
13 your staff people continue to make referrals  
14 to our program or DSS to our program.

15 A couple of things I wanted to  
16 clarify. I heard it kind of suggested, left  
17 the impression that Family Ties is a long  
18 program and then it was awarded to us and  
19 should go back to where it was. Family Ties  
20 is a program that was originated and  
21 designed by us.

22 The contract, the idea of serving  
23 people may have predated us. But the work  
24 we do with family and children -- and,  
25 again, it's a 24/7 program and that's part



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2   of the reason I stayed. It's not a  
3   criticism of DSS and what happens now with a  
4   governmental run program or the plan to have  
5   a governmental run program for this, as  
6   opposed to a government supported program in  
7   the human services sector. It's that our  
8   programs and our people do work 24/7, not  
9   8:00 to 4:00 and 9:00 to 5:00. I wanted to  
10   clarify that.

11                   The last time I was here since so  
12   many of us have been here before on these  
13   topics, the very night I was here a month  
14   ago, as Dr. Reynolds had said, and that  
15   evening I saw at Facebook, that's where I  
16   live, at Facebook I saw a comment by the  
17   head of another agency who was talking about  
18   this terrible situation, a young person from  
19   Nassau County was thrown out of the home  
20   because the family found out that the person  
21   was gay. The person was homeless that  
22   night. The head of the agency was trying to  
23   figure out, how do I help? We don't have  
24   residential program. We don't have this, we  
25   don't have that. And that person called

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2 Family and Children's Association and that  
3 young person came into one of our programs  
4 for the night and was properly sheltered,  
5 safely sheltered, until the person could go  
6 to DSS, could go to the governmental  
7 programs the next day.

8 That's why it's a very important  
9 partnership we have of the human services  
10 community that very often has the ability  
11 and the will to be 24/7. So I think we  
12 can't forget that as we are talking about  
13 all of these programs.

14 Again, it's not a criticism.  
15 It's the fact that the human services  
16 community can actually offer, very often,  
17 offer services that the county cannot offer.  
18 Actually 24/7 should be a factor in -- I  
19 have a bias, it's my agency, but it may be  
20 for the benefit of every one, should be one  
21 of the factors in awarding contracts.

22 CLERK MULLER: Your three minutes  
23 have expired.

24 MS. GUISE: I can talk faster,  
25 and I waited a long time and I'm cold. But

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2 one of the things that I think also is very  
3 important is the fact that an article I read  
4 about this contract and the services and the  
5 program of how we service people who are in  
6 the greatest of stress and it really got me  
7 very upset when I read it on Friday, was  
8 that clinical skills is not essential to  
9 doing the work of going into people's homes  
10 in the worst stresses they may have in their  
11 lives. If a social worker, organizer,  
12 public policy, social administration, not  
13 clinical, but I sure reacted to seeing that  
14 working with people under extreme stress  
15 does not require clinical skills.

16 Something that also was quickly  
17 mentioned was the salary issue. We had to  
18 tell our staff through a lot of this  
19 process, we found out that our staffers who  
20 have advanced degrees which is part of the  
21 reason the county awarded us the contract  
22 was the advanced clinical degrees our  
23 staffers have. They are paid less than  
24 messengers in Nassau County.

25 So I kind of reacted on behalf of

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2 our staff people when I heard it suggested  
3 that this is about the money. This is about  
4 the children.

5 LEGISLATOR NICOLELLO: Judy, can  
6 you wrap up, please?

7 MS. GUISE: I was pretty wrapped.  
8 I was going to say that if we continue with  
9 this precedent, Nassau County is not going  
10 to be able to afford by bringing everything  
11 in-house with those 900 slots. It's not  
12 going to be able to afford to provide these  
13 services. Unfortunately our staff people  
14 and other human service staff people are not  
15 paid as well and they don't have the  
16 benefits. But it is a factor and it's an  
17 issue that you have to deal with in serving  
18 your constituents. So I'm available for a  
19 follow questions outside, Monday through  
20 Friday.

21 LEGISLATOR NICOLELLO: Thank you,  
22 Judy. Patti Ambrosia.

23 MS. AMBROSIA: Denise, Long Beach  
24 Motor Inn, does the county own it yet? Who  
25 is in charge of cleaning the property up?

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2 LEGISLATOR FORD: We actually  
3 have somebody out there today taking a look  
4 at it. I did request the county to go and  
5 secure the site to clean it up.

6 If you look in Newsday today, you  
7 will notice that the RFP was sent out in  
8 regard to the Long Beach Motor Inn for it to  
9 be developed.

10 MS. AMBROSIA: Perfect.  
11 Developed to what? What is it going to be,  
12 is it going to be a senior home?

13 LEGISLATOR FORD: That's  
14 basically the request, it's for the public  
15 benefit. We were clear what we wanted that  
16 property for.

17 MS. AMBROSIA: Perfect. Then I  
18 would like to address Mr. Abrahams. We sent  
19 a request to you for a foil in your type of  
20 language on the process of VIP Splash.  
21 Still nothing.

22 LEGISLATOR ABRAHAMS: I believe  
23 Jerry is in the audience today. He is the  
24 one to respond to the foil, give us an  
25 update of where we are.

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2 MR. PODLESAK: The last I heard  
3 they were still working on it. There were  
4 some issues where they had to go through the  
5 information and do some redacting. That's  
6 why it's taking so long. They should  
7 actually update you on a 30 day basis. If  
8 they haven't, I'll get back to them.

9 MS. AMBROSIA: But it's just the  
10 processing. That's all I'm asking for is  
11 how the process works. I want the process  
12 on how VIP Splash out bid the rest of the  
13 people that were going against them. It's  
14 the process. I'm sure the Rules Committee  
15 had to have that as well. What is the  
16 process? Why is that so hard to get?

17 MR. PODLESAK: What you are  
18 entitled is the actual raw documents. There  
19 is no explanation involved here. So what  
20 they have to do is they have to go through  
21 the documents. And part of the issues are,  
22 there are -- what do they call them? There  
23 are trade secrets and information that's not  
24 subject to foil. All of this has to be  
25 checked off and all of it has to be vetted

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2 before it is released. It is not a quick  
3 process. People who are doing this have  
4 other jobs and they're working on other  
5 things. It will be taken care of.

6 MS. AMBROSIA: You do realize  
7 this has been going on since March. They  
8 wanted to reworded to your language but my  
9 language was just fine. You all knew and  
10 knew exactly what I was asking for.

11 MR. PODLESIAK: No, we didn't, but  
12 the problem is, it is in fact being worked  
13 on. When I say "we," I'm not working on it  
14 but the individuals involved and the  
15 custodians of the records are working on it  
16 and you will get it eventually.

17 MS. AMBROSIA: Eventually doesn't  
18 work. Like a 30 day period is a foil by  
19 law, correct?

20 MR. PODLESIAK: Yes. But it's all  
21 subject to rule of reason. If it can't be  
22 accomplished within 30 days you're entitled  
23 to be told how long it will take to be  
24 accomplished and how much it is.

25 LEGISLATOR NICOLELLO: I'm going

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2 to interrupt. If you need to continue this  
3 discussion, we would ask you to do so with  
4 Mr. Podlesak off the record, but do you have  
5 anything else that you would like to bring  
6 up?

7 MS. AMBROSIA: No. That's it.  
8 Thank you.

9 LEGISLATOR NICOLELLO: Thank you.  
10 Dominica Califano.

11 MS. CALIFANO: Hi. How are you?  
12 I just wanted to ask. I saw something in  
13 there called, the County of Nassau acting on  
14 behalf of the Human Services Office of  
15 Mental Health CD, DDS of Long Beach Reach  
16 Substance Abuse Treatment. Does anyone know  
17 where this place is that they're getting  
18 \$126,000, some of us are aware that there  
19 were 15 bartenders in Island Park busted for  
20 serving minor kids. We are having a lot of  
21 alcohol and drug problems in Nassau County.  
22 Some legislators know that the bars there  
23 were not licensed correctly.

24 Does anyone know where this Reach  
25 program is? We are having a lot of young



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2 kids dying of heroin overdose. I never  
3 heard of Long Beach Reach Inc.

4 LEGISLATOR FORD: Long Beach  
5 Reach has been in existence. It's been an  
6 organization that we worked with, I don't  
7 know how many years, at least 25 years, 30  
8 years.

9 MS. CALIFANO: Where is that  
10 located?

11 LEGISLATOR FORD: On Park Avenue,  
12 right by National Boulevard.

13 MS. CALIFANO: It was out of Long  
14 Beach Hospital at one time?

15 LEGISLATOR FORD: No. Long Beach  
16 Reach, they also work with Harriet Eisman.  
17 It's under that umbrella. But Joseph Smith  
18 is the director of Long Beach Reach and he  
19 has been phenomenal.

20 MS. CALIFANO: Is there any kind  
21 of paperwork, programs that these young  
22 kids, that we're losing young kids by the  
23 minute here, on heroin, on alcohol abuse, in  
24 Oceanside, Island Park area? A lot of the  
25 kids are not aware of where these places

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2 are. Is there any way of getting flyers out  
3 to them, maybe something on the TV to help  
4 our young generation to save them? All this  
5 money is being given out to all these  
6 substance treatments --

7 LEGISLATOR FORD: You can  
8 probably call my office tomorrow, and we  
9 will give you the number for Long Beach  
10 Reach. I don't know it off the top of my  
11 head. There you have Family and Children's  
12 Association.

13 MS. CALIFANO: Yes. A great  
14 organization. Can I ask another question?  
15 Anyone that's on this can go to this place  
16 and they'll be taken under the wing to get  
17 treatment?

18 LEGISLATOR FORD: I don't know  
19 exactly their policies and how they deal  
20 with the clients. Everything is done  
21 confidentially. We would never be open to  
22 looking at their list to know who though  
23 deal with. But they have been around and  
24 they're a well respected organization.

25 Long Beach Reach Incorporated,

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2 you can go right on and find them. Since  
3 1970. 889-2332. All the programs. You can  
4 go right on.

5 MS. CALIFANO: Thank you so much.  
6 I just want to see if there's more that you  
7 can do, Ms. Ford, to our young generation in  
8 Island Park and Oceanside area. They're  
9 dropping off like flies. There has to be  
10 more for our young generation that are not  
11 going to die to drugs.

12 We called the Fourth Precinct in.  
13 I called them several times in, alcohol  
14 poisoning and they look the other way.

15 Unfortunately it is what it is  
16 with the Fourth Precinct in our area; some  
17 of them are good, some of them aren't, and  
18 the kids run from the cops. Cops abuse them  
19 with words and stuff, instead of trying to  
20 get help for these kids. Unfortunately it  
21 is what it is.

22 I think there's more out there  
23 for our young generation. There is a lot of  
24 money given out for treatments and  
25 everything. There's too many kid not

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2 getting the proper help or the information  
3 for our young generation is not out there.  
4 There's a lot of kids out on the street.  
5 There is nothing for the young kids to do in  
6 Oceanside/Island Park Area.

7 LEGISLATOR FORD: Just to let you  
8 know, that even with your PTAs, school  
9 boards, we have great schools, both in  
10 Island Park and Oceanside. They have done a  
11 lot of advocacy to try and work with our  
12 young people. They host a lot of programs.  
13 I do have to take exception to your comment  
14 about the cops in the Fourth Precinct. I  
15 think they are very committed to protecting  
16 the communities that they serve.

17 MS. CALIFANO: Maybe I will show  
18 you some videotapes of the Fourth Precinct  
19 in what they did at Warehouse 5 and beat the  
20 living -- excuse me out of a child the other  
21 night. The kid was not of age. So, let's  
22 not go with the Fourth, and I can show some  
23 other videos from people and what parents  
24 have said to me.

25 LEGISLATOR FORD: We are going to

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2 disagree but I did a ride through with the  
3 Fourth Precinct one night and I have to say  
4 I was very impressed and they really do a  
5 phenomenal job as do all the police in  
6 Nassau County.

7 MS. CALIFANO: Okay. Great.

8 CLERK MULLER: Your three minutes  
9 have expired.

10 MS. CALIFANO: One more question  
11 to Mr. Abrahams. I asked about a month ago  
12 on three different contracts if you ever  
13 received copies of the contracts for VIP  
14 Splash? Not on the bids. If you were able  
15 to get the copies of the three contracts  
16 that they had. No one else was able to --

17 LEGISLATOR ABRAHAMS: You're just  
18 asking for a copy of the contract?

19 MS. CALIFANO: Of the three  
20 different contracts, yes.

21 LEGISLATOR ABRAHAMS: I'm just  
22 conferring with counsel, I don't mean any  
23 disrespect. Michelle Darcy just informed me  
24 that we gave you the copy of the ones that  
25 passed through the legislature. Do you have

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2 those?

3 MS. CALIFANO: That one I got  
4 from Michele a while back and that was a  
5 while back. That was only the one. There  
6 were two other ones that were signed off on  
7 on the same VIP Splash.

8 LEGISLATOR ABRAHAMS: It might  
9 work better if you guys talk to her. But we  
10 will get you anything you need.

11 MS. CALIFANO: I would like to  
12 because we all know that was a very fine  
13 deal on that. \$12.1 million of taxpayers  
14 money is a lot of money.

15 LEGISLATOR ABRAHAMS: Anything  
16 that you would like to see, we are more than  
17 happy to try to get you.

18 MS. CALIFANO: I just want to  
19 thank my Island Park supporters, Gloria  
20 Gunther, Tom Asher, and Garrett Gorden for  
21 supporting me in Island Park for bringing  
22 this to everyone's attention. Thank you.

23 CHAIRWOMAN GONSALVES: We have  
24 one more speaker and I believe it's Meta  
25 Mereday.

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2 MS. MEREDAY: Thank you,  
3 Presiding Officer. Meta Mereday, Wesley  
4 Street, Baldwin.

5 Where do I begin? My issues  
6 starting with the Resolutions 142 and 143, I  
7 just had some questions. At this point I  
8 just really need to wear a sign that just  
9 kind of says, when are we going to speak for  
10 our veterans?

11 I'm still at a loss in terms of,  
12 as we are allocating these millions of  
13 dollars, and as the previous speaker  
14 stressed about the lack of programs and  
15 resources to keep our young people off the  
16 streets, I have been echoing that same human  
17 cry with regard to what we're doing for our  
18 veterans because I have yet to see, hear or  
19 read anything that has been proactive and  
20 productive with regard to addressing  
21 opportunities to create an entrepreneurial  
22 net for our veteran owners to be able to  
23 hire, to train veteran potential employees.

24 We are going in the same circle.  
25 If I add up the amount of money that we are

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2 paying for the attorneys for the various  
3 issues for the lack of due diligence by this  
4 body, and I do actually agree with  
5 Legislator Becker that 39-5 is not a lot of  
6 money, but, guess what?

7 There are hundreds of people,  
8 thousands of people who unfortunately are  
9 living in Nassau County without the perks  
10 that you receive in addition to that 39-5.  
11 And the rest of them are leaving because you  
12 have to be below 37 to even qualify for any  
13 types of resources and support.

14 So, if you are saying you can't  
15 exist on 39-5, how about if you were the  
16 only person and the 39-5 was all you were  
17 making and you're still not even considered  
18 being below the poverty level?

19 So, I'm hoping again that I don't  
20 have to continue to read in Newsday after I  
21 attend these meetings pleading with all of  
22 you to step up, to open up, and to read the  
23 documents that are coming before you and  
24 your administrative assistants so that we  
25 are getting more of the inclusion.



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2 We are losing out on funding in  
3 this region because we are not proactive and  
4 progressive as it pertains our veteran  
5 opportunities and the business  
6 opportunities. Because, if we're not  
7 training them, they're not getting the  
8 contracts.

9 New York State Office of General  
10 Services has about 50 certified disabled  
11 veteran owned businesses and 70 percent of  
12 those are from outside of New York State.  
13 That is appalling. If we don't do anything  
14 about it.

15 I'm really tired of coming here.  
16 I am tired of coming here. I'm emotionally  
17 tired. Physically tired. And the fact that  
18 now my taxes are increased, I'm like some of  
19 my neighbors. I'm on a two block stretch  
20 and we have four empty houses and two of  
21 them are zombies.

22 I'm asking again when are you  
23 actually going to do something as opposed to  
24 all the money that we are putting out for  
25 these advertisements, the parades, the

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2 salutes. Let's start doing something.

3 We are now saying we want our  
4 military professionals to be armed to  
5 protect us because of the shootings that are  
6 happening in areas like Chattanooga and  
7 elsewhere but, let's not forget, in Fort  
8 Hood, Texas, there was a military  
9 professional who did the shooting.

10 In Washington D.C., it was a  
11 former Navy person that did the shooting.  
12 The frustration level in our veteran  
13 community is beyond an all time high. I  
14 don't know how else I can speak to this  
15 issue that we have older veterans in Nassau  
16 County who are living in fear in a  
17 foreclosed home. Their house is on the  
18 dockets of the state court down the street,  
19 six, seven months.

20 Families are being separated.  
21 You have two and a half people in your  
22 veterans services agency, but we are going  
23 to spend more millions of dollars? You're  
24 going to take funding away from programs  
25 that that actually work that are helping

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2 families and children? When is enough going  
3 to be enough?

4 CLERK MULLER: Your three minutes  
5 have expired.

6 LEGISLATOR JACOBS: I had  
7 something to say to you when you first  
8 started but you talked about a lot of things  
9 that are very close to all of our hearts  
10 especially veterans.

11 Are you aware that you pointed  
12 out the issue that we just passed for 142?  
13 Are you aware that that's grant money  
14 specifically for that? That there's no  
15 impact on funding for Nassau County? I want  
16 to make you aware of that, that that's not  
17 money that's just been taken for frills or  
18 whatever. It's monies that specifically is  
19 a grant to be used for that purpose. I just  
20 wanted to clarify that for you.

21 MS. MEREDAY: I'm completely  
22 aware of it, but, at the end of the day,  
23 you're approving things, but you're not  
24 clearly from what's happening. It's not  
25 just me. It's in the paper. Clearly what

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2 is happening once you approve all of this,  
3 the rubber meeting the road is not taking  
4 the shape. So your intention is clear.

5 The same way when the federal  
6 government sends its money out. The  
7 intention for it to do a certain thing. The  
8 VA has lost billions of dollars in Denver.  
9 One billion for one facility. So the  
10 intention is there.

11 But I'm talking about at the end  
12 of the day it's not delivering. You're not  
13 delivering.

14 LEGISLATOR JACOBS: I understand  
15 what you're saying. You know I have been  
16 here, in all my years here, and you know  
17 I've been here a long time, I have never  
18 seen anything that isn't a bipartisan  
19 agreement when it comes to our veterans.  
20 Honestly, I cannot even remember something  
21 that we might have been something that we  
22 were split on if it would help the veterans  
23 of this country. Is it enough? I don't  
24 disagree with you, that there are too many  
25 people suffering.

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2 Unfortunately, maybe nothing  
3 would ever be enough but at least I know  
4 where your frustration is coming from, but I  
5 thought you should be aware that this amount  
6 in particular was a grant, was a grant that  
7 has no impact on the funding of Nassau  
8 County. It's not like we took from A to pay  
9 B, or took from B to pay C. It's that this  
10 is what it was for and we used it for. I  
11 just wanted you to understand that. It's  
12 not that I don't sympathize with what you're  
13 saying and the fact that we all understand  
14 that there's frustration out there leading  
15 to horrible things that have been happening,  
16 but I don't know, this body will do what we  
17 can.

18 But, in the scheme of things, we  
19 are a small part of the whole problem that's  
20 going on. Really. But we will do what we  
21 can.

22 MS. MEREDAY: I have been here  
23 quite a few times. I have yet to hear a  
24 real discussion and action plan specifically  
25 as it pertains to veteran businesses. I

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2 haven't heard it.

3 So, if it's there, I know there  
4 was concern in review with regard to the  
5 minority and women business piece, but I  
6 have yet to hear or see anything that speaks  
7 to the fact that there's maybe what, two  
8 full time people and two part time people in  
9 a veteran services agency that's supposed to  
10 support 80,000 plus veterans in this county?

11 We are one of the few counties in  
12 the country for the number of veterans that  
13 we have and their families that we don't  
14 even have our own VA facility. But if we're  
15 going to depend on the VA that can't even  
16 find the billion dollars that it lost for  
17 building the facility in Denver, and that's  
18 just one facility, there has to be  
19 oversight.

20 CHAIRWOMAN GONSALVES: Let me ask  
21 you something, are you talking about a  
22 veterans clinic?

23 MS. MEREDAY: I'm talking about a  
24 veterans facility. Let's not talking about  
25 building at Nassau County Medical which is

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2 basically blood pressure, you can't find a  
3 place to park, I'm talking about a  
4 structured, managed, veterans hospital, a  
5 veterans affairs medical center.

6 There are counties upstate  
7 New York that have maybe 20,000 people in  
8 total and they have their own veterans  
9 facility. We don't have that here.

10 LEGISLATOR DUNNE: Madam Chair?

11 CHAIRWOMAN GONSALVES: Legislator  
12 Dunne, I don't want to forget you.

13 LEGISLATOR DUNNE: Previous to  
14 being a legislator, I was the director of  
15 the Nassau County Veteran Service Agency.  
16 Mr. Ralph Esposito has that position right  
17 now. He takes care of those veterans that  
18 are coming out of the service with  
19 disabilities. They have to file for service  
20 connected disability compensation. They  
21 have to file for education for the men and  
22 women that are coming out of the military  
23 right now. I preface women because there's  
24 an awful lot of women in the military right  
25 now and they are coming out needing

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2 compensation and education.

3 There's non-service connected  
4 veteran's pensions that they're filing for  
5 every single day. Widows pensions every  
6 single day. Tax exemptions that veterans do  
7 get that some aren't aware of, they come and  
8 they come in and receive that benefit.

9 The transportation to and from  
10 the veterans administration hospital in  
11 Northport and sometimes to Brooklyn. The  
12 reason we don't have a VA hospital here, we  
13 attempted over 30 years, in my lifetime,  
14 trying to get a hospital here but we didn't  
15 have a school to affiliate with the  
16 facility. It has to have a hospital, New  
17 York City, you have NYU right next to the VA  
18 Hospital right on 23rd Street. Here we  
19 didn't have that.

20 So, Northport got the hospital  
21 out here. We were only able to get the  
22 outpatient facility thanks to Tom Gulotta's  
23 assistance with the veterans services,  
24 bringing all the veterans organizations  
25 together.



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2 I personally went with the County  
3 Executive and the leaders of the veterans  
4 organizations to the hearing with the  
5 veterans administration in Washington, D.C.  
6 There were 60 of us went. We drove down.  
7 We flew down. They asked, well, you don't  
8 really need it in Nassau County.

9 Well, we delivered over 60  
10 thousand handwritten letters that veterans  
11 wrote to them. It was like Miracle on  
12 34th Street when they brought in all those  
13 letters to Santa Claus. Well, we piled them  
14 up in front of that panel and we were able  
15 to get an outpatient center here in Nassau  
16 County.

17 But, I got to tell you, every day  
18 that veteran service agency is taking care.  
19 And social services, if a veteran applies or  
20 his widow or any of his family applies for  
21 social services, they automatically have to  
22 put a check mark on a box and they get  
23 referred to the veteran service agency to  
24 see if they are eligible for a pension,  
25 which is non-service connected. It's rated

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2 on income. Or they did get hurt in the  
3 service and needed that service connected  
4 disability compensation.

5 They do a have a job. The jobs  
6 that they have there are the ones that  
7 people call in and say, look, I'm looking  
8 for some veterans. They make up a card on  
9 them and when a veteran comes in, they say,  
10 listen, we have a couple of jobs here.  
11 That's the only thing they can do right now  
12 because all of those things that I told you  
13 that they do, thousands of people coming in  
14 looking just for those benefits alone.

15 Now, to go out and to do  
16 additional -- let's put a job fair together,  
17 they tried doing that. It might not be as  
18 successful as you want, but, you got to  
19 remember, the men and women who fought for  
20 this country are coming in for all these  
21 things and then some, and then trying to do  
22 extras, the bells and whistles and trinkles  
23 that the guys and gals deserve, but, right  
24 now getting these applications into the VA  
25 as soon as possible because they retroactive

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2       to the date that the VA stamped it received.

3                   So, there's a lot of work that

4       has to be done in that agency and they don't

5       have a staff of two or 300 people. They

6       have a very small staff but they're doing a

7       very good job. I'm proud of them. I really

8       am. Ralph Esposito is doing it. From

9       Elmont, he's a fireman. He's a pass

10      commander of the American Legion there. His

11      heart and soul is in this. Anywhere you go

12      where there is veterans, you see Ralph

13      Esposito and he's working his butt off.

14                  Please don't use it as knocking

15      the agency because they are doing a yeoman's

16      job and we are trying to address what is

17      going on with veterans in our community.

18      Now, should we have a hook in with the job

19      thing -- the office of Veterans

20      Administration has a vocational

21      rehabilitation office. They not only test

22      you to see what you are best suited for but

23      then they recommend you to positions like

24      you're saying that there's available through

25      major corporations.

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2 So that part I know about and  
3 that part I'm telling we are waring  
4 ourselves thin. Our agency is trying every  
5 which way to Sunday, they hook up every  
6 month with Northport VA Hospital and with  
7 the Stony Brook, they have their veterans  
8 home out in Stony Brook, they go over there,  
9 because Stony Brook also takes care of the  
10 veterans out in Northport. So, there is an  
11 awful lot that you said that we're trying to  
12 do the best that we possibly can and getting  
13 grants, maybe they can hire a couple of  
14 people to help further what you're asking  
15 for, but right now please don't -- it  
16 appears you're knocking them and I hope you  
17 are not because they are doing their damn  
18 best. Thank you.

19 CHAIRWOMAN GONSALVES: Motion to  
20 adjourn, please.

21 LEGISLATOR KOPEL: So moved.

22 LEGISLATOR DUNNE: Second.

23 CHAIRWOMAN GONSALVES: Moved by  
24 Legislator Kopel, seconded by Legislator  
25 Dunne.

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2 All those in favor of adjourning  
3 signify by saying?

4 (Aye.)

5 Any opposed?

6 (No verbal response.)

7 We are now adjourned.

8 (Whereupon, the Full Legislative  
9 Committee adjourned at 3:49 p.m.)

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C E R T I F I C A T E

I, FRANK GRAY, a Shorthand Reporter and  
Notary Public in and for the State of New  
York, do hereby stated:

THAT I attended at the time and place  
above mentioned and took stenographic record  
of the proceedings in the above-entitled  
matter;

THAT the foregoing transcript is a true  
and accurate transcript of the same and the  
whole thereof, according to the best of my  
ability and belief.

IN WITNESS WHEREOF, I have hereunto set  
my hand this \_\_\_\_\_ day of \_\_\_\_\_,  
2015.

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FRANK GRAY